

processes by labor will prove harmful in the long run to the interests of organized labor; to the Committee on Labor.

Also, petition of Mathias Klein & Co., Sterne & Klein Co., the Seng Co., Pheoll Manufacturing Co., and L. W. Meckstroth, president Woodstock Typewriter Co., all of Chicago, Ill.; Rowe Manufacturing Co. and Shaw, Welsh & Co., of Galesburg, Ill.; the Williams Sealing Corporation, Decatur, Ill.; J. D. Tower & Sons Co., Mendota, Ill.; and U. O. Colson Co., Paris, Ill., protesting against the closed shop; to the Committee on Labor.

SENATE.

THURSDAY, October 16, 1919.

(Legislative day of Tuesday, Oct. 14, 1919.)

The Senate met at 11 o'clock a. m.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ball	Hale	McKellar	Shields
Bankhead	Harding	McNary	Smith, Ariz.
Beckham	Harris	Myers	Smith, Ga.
Brandegee	Harrison	Nelson	Smith, Md.
Calder	Henderson	New	Smoot
Capper	Hitchcock	Newberry	Spencer
Chamberlain	Johnson, Calif.	Norris	Stanley
Coit	Jones, N. Mex.	Nugent	Sterling
Culberson	Jones, Wash.	Overman	Sutherland
Cummins	Kellogg	Page	Thomas
Curtis	Kendrick	Penrose	Townsend
Dial	Kenyon	Phelan	Trammell
Dillingham	Keyes	Phipps	Underwood
Fernald	King	Pittman	Wadsworth
Fletcher	Kirby	Poindexter	Walsh, Mont.
France	Knox	Pomerene	Warren
Frelinghuysen	Lenroot	Ransdell	Watson
Gay	Lodge	Robinson	Williams
Gerry	McCormick	Sheppard	Wolcott
Gronna	McCumber	Sherman	

Mr. NORRIS. I wish to announce the absence of the Senator from Oklahoma [Mr. GORE], who is engaged in a committee hearing.

Mr. SHEPPARD. The Senator from South Carolina [Mr. SMITH] and the Senator from South Dakota [Mr. JOHNSON] are detained by illness in their families.

Mr. PHELAN. The Senator from North Carolina [Mr. SIMMONS], the Senator from Oklahoma [Mr. GORE], the Senator from Virginia [Mr. SWANSON], the Senator from Arizona [Mr. ASHURST] are absent on official business.

Mr. KING. The Senator from Tennessee [Mr. MCKELLAR], the Senator from Massachusetts [Mr. WALSH], and the Senator from Missouri [Mr. REED] are necessarily detained in the Committee on Education and Labor.

The VICE PRESIDENT. Seventy-nine Senators have answered to the roll call. There is a quorum present.

AUTOMATIC TRAIN PIPE CONNECTOR.

The VICE PRESIDENT. As in legislative session, the Chair submits a communication from the Interstate Commerce Commission, transmitting a report of the Chief of the Bureau of Safety relative to tests of the railway safety device submitted by the American Automatic Connector Co., Cleveland, Ohio, which will be referred to the Committee on Interstate Commerce, without printing.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by D. K. Hempstead, its enrolling clerk, announced that the House agrees to the concurrent resolution of the Senate authorizing the Clerk of the House in the enrollment of the bill (H. R. 8624) to amend an act entitled "An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel," approved August 10, 1917, and to regulate rents in the District of Columbia, to make certain corrections, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bill and joint resolution, in which it requested the concurrence of the Senate:

A bill (H. R. 3621) to establish load lines for certain vessels; and

A joint resolution (H. J. Res. 230) authorizing and directing the Secretary of Agriculture to prepare and issue a supplementary report on the condition of the cotton crop.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the Vice President:

H. R. 1429. An act adding certain lands to the Idaho National Forest and the Payette National Forest, in the State of Idaho; and

H. R. 9203. An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce.

HOUSE BILL AND JOINT RESOLUTION REFERRED.

H. R. 3621. An act to establish load lines for certain vessels, was read twice by its title and referred to the Committee on Commerce.

H. J. Res. 230. Joint resolution authorizing and directing the Secretary of Agriculture to prepare and issue a supplementary report on the condition of the cotton crop, was read twice by its title and referred to the Committee on Agriculture and Forestry.

PETITIONS AND MEMORIALS.

Mr. LODGE presented a memorial of John McBride Branch, Friends of Irish Freedom, of Lawrence, Mass., and a memorial of sundry citizens of Latimer County, Okla., remonstrating against the ratification of the proposed league of nations treaty, which were ordered to lie on the table.

He also presented a petition of the Baptist Association of Worcester, Mass., praying that aid be extended to Armenia, and for the ratification of the proposed league of nations treaty, which was referred to the Committee on Foreign Relations.

Mr. NEWBERRY presented a memorial of sundry citizens of Coldwater, Mich., remonstrating against the ratification of the proposed league of nations treaty, which was ordered to lie on the table.

He also presented a petition of Hiram Lodge, No. 1, Free and Accepted Masons, of Detroit, Mich., and a petition of Bersheba Chapter, No. 9, Order of the Eastern Star, of Detroit, Mich., praying for an investigation into the recent race riots and mob violence, which were referred to the Committee on the Judiciary.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. PENROSE:

A bill (S. 3235) fixing the compensation of United States inspectors of customs; to the Committee on Finance.

A bill (S. 3236) granting an increase of pension to Emma Taylor; and

A bill (S. 3237) granting a pension to James Donnelly; to the Committee on Pensions.

By Mr. WADSWORTH:

A bill (S. 3238) relating to detached service of officers of the Regular Army; and

A bill (S. 3239) to amend the Army appropriation act for 1920 so as to authorize travel allowances to persons discharged from disciplinary barracks and other places of confinement other than honorably, and for other purposes; to the Committee on Military Affairs.

By Mr. NELSON:

A bill (S. 3240) for the relief of the heirs of Edward H. Ozmun, deceased; to the Committee on Claims.

A bill (S. 3241) to authorize the incorporated town of Ketchikan, Alaska, to issue bonds for the construction and equipment of schools therein, and for other purposes; to the Committee on Territories.

By Mr. NEWBERRY:

A bill (S. 3242) granting an increase of pension to John W. La Rue; to the Committee on Pensions.

By Mr. KING:

A bill (S. 3243) to reduce the tariff duties on the importation of manufactures of wool; to the Committee on Finance.

A joint resolution (S. J. Res. 115) to lay an embargo on the importation of raw wool into the United States until the Government stores of raw wool are disposed of; to the Committee on Finance.

AMENDMENT TO DEFICIENCY APPROPRIATION BILL.

Mr. SMOOT submitted an amendment authorizing the Bureau of Efficiency to investigate the methods of business of the Bureau of War Risk Insurance and to report to Congress, etc., intended to be proposed by him to the first deficiency appropriation bill, which was referred to the Committee on Appropriations and ordered to be printed.

RECEPTION TO THE KING OF THE BELGIANS.

Mr. LODGE. Mr. President, I send to the desk the following order, and ask unanimous consent for its present consideration.

The order was read, considered by unanimous consent, and unanimously agreed to, as follows:

Ordered, That on Tuesday, October 28, 1919, at 1 o'clock p. m., the Senate will take a recess until 1.30 o'clock p. m., that it may receive His Majesty the King of the Belgians.

PROMOTION OF THE PUBLIC HEALTH.

Mr. FRANCE submitted the following concurrent resolution (S. Con. Res. 13), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved by the Senate (the House of Representatives concurring), That a joint committee be, and is hereby, created, consisting of three Members of the United States Senate and three Members of the House of Representatives, to be appointed by the President of the Senate and the Speaker of the House, respectively, to make a survey of and report on those activities of the several departments, divisions, bureaus, offices, and agencies of the Government of the United States which relate to the protection and promotion of the public health, sanitation, care of the sick and injured, and the collection and dissemination of information relating thereto: *Provided*, That the Medical Department of the United States Army and the Bureau of Medicine and Surgery of the United States Navy shall not be included within the scope of this survey.

SEC. 2. That such committee is directed and empowered to report to the Congress not later than March 1, 1920:

(a) The statutory powers and duties conferred by the Congress on any department, division, bureau, office, or agency of the United States Government to carry on any work pertaining to the conservation and improvement of the public health, together with any rules and regulations authorized or promulgated thereunder.

(b) The organizations now existing in the Federal Government for the purpose of carrying out these powers and duties, together with the personnel of, appropriations for and expenditures by each department, division, bureau, office, and agency during the fiscal year ending June 30, 1919.

(c) The coordination now existing between said departments, divisions, bureaus, offices, and agencies, together with any conflicts, overlapping or duplication of powers, duties, functions, organization, and activities.

(d) The cooperation and coordination now existing between the Government of the United States and the government of the several States or extragovernmental agencies for the conservation or improvement of the public health.

(e) Such further information as such committee may deem proper.

(f) Such recommendations as such committee may deem advisable to offer for the improvement of the public health work of the United States Government.

SEC. 3. That such committee be, and hereby is, authorized during the Sixty-sixth Congress to send for persons, books, and papers, to administer oaths, and to employ experts deemed necessary by such committee, a clerk and a stenographer to report such hearings as may be had in connection with any subject which may be before such committee, such stenographer's service to be rendered at a cost not exceeding \$1 per printed page; the expenses involved in carrying out the provisions of this resolution one half to be paid out of the contingent fund of the Senate and the other half out of the contingent fund of the House; and that such committee may sit during the sessions or recesses of the Congress.

TREATY OF PEACE WITH GERMANY.

The Senate, as in Committee of the Whole and in open executive session, resumed the consideration of the treaty of peace with Germany.

Mr. KELLOGG. Mr. President, I ask the indulgence of the Senate for a very few moments while I state my position upon the Shantung amendment.

I shall not attempt to relate the history of the Shantung matter. It has already been described with a particularity of detail and wealth of invective and eloquence. Certain facts, however, do not seem to be disputed, namely, that 20 years ago Germany, using as an excuse the murder of two German missionaries, demanded of China certain concessions in Shantung, including a lease for 99 years of the Bay of Kiaochow, involving certain administrative rights and privileges; that she took undue advantage of the weakness of China to exploit her appears to be obvious; that a wrong was thus committed which history can not countenance seems conclusive; and that for 20 years the United States and the principal civilized nations of the world have acquiesced, entering no protest. No Senator, to my knowledge, has ever denounced the transaction in this Chamber, and, so far as I know, our Government has never objected.

I do not claim, Mr. President, that this vindicated Germany's aggression any more than our failure to act when Germany, in her brutal course, overran Belgium with destruction, death, and waste condoned that crime. Even then we did not act, and, moreover, we were parties to a treaty providing at least for the neutrality of Belgium. Thank God, we finally entered the war when it seemed uncertain whether democratic government should survive in Europe.

But, returning to Shantung, I repeat that for 20 years we did not intervene or protest. What was the situation when the war broke out? Germany was in possession of a naval base on the Pacific Ocean, where she could have threatened the transporta-

tion of troops and supplies from Australia and New Zealand, and when we entered the war she could have imperiled our commerce upon the Pacific. The Allies were struggling against the might of Germany; the issue was unsettled. It was absolutely necessary that Germany be driven out of China and her naval base destroyed. I do not say that it could not have been accomplished by China, with the cooperation of the Allies, nor do I know that it could have been.

The Allies, however, called upon Japan, which nation was very instrumental in relieving the Pacific of this menace to the commerce of the Allies and in ending Germany's dominion in China. I do not contend that Japan was justified in her demand that she succeed to the German rights acquired in China. It is undoubtedly true that, in 1915, China agreed to Japan's succession to the rights acquired by Germany in the Province of Shantung. It is quite likely that Japan, adopting German tactics, employed duress, China's position being such that she could not resist. The United States is not associated in any way with those proceedings, nor did it participate in the secret treaties by which certain allied powers conceded the claims of Japan to whatever rights Germany may have acquired in China. I think those treaties should have been made public. I have upon this floor denounced, as have other Senators, the negotiation of secret treaties, and, in my opinion, the United States should have been informed of such treaties when she entered the war. The United States certainly would have discountenanced them and avoided embarrassment in negotiating the peace treaty. I wish to dissent from the principles of those treaties, and I wish the United States, through its Senate, to dissent, and to refuse to be bound by that secret agreement between Japan, England, and France.

Mr. President, I concur in the remarks of the Senator from Idaho [Mr. BORAH], stated on the 27th day of August, 1919. He was asked this question:

Suppose we put it in the treaty that China is given the rights that Germany formerly owned in China, and it is agreed to by the other nations except Japan, what method does the Senator suggest by which we can enforce an agreement like that?

Mr. BORAH, "The Senator from Idaho" is not seeking for any method by which to enforce the treaty. "The Senator from Idaho" is desirous of relieving the United States as a Government from the burden or obligation of undertaking to maintain that which he conceives to be founded in immorality.

I indorse every word of that statement. We should seek to relieve the United States Government from the burden or obligation of undertaking to maintain that which we conceive to be founded in immorality, and I am willing to adopt the course suggested by the Senator from Wisconsin [Mr. LENROOT] yesterday when he read to the Senate a proposed reservation refusing to ratify the Shantung provisions of the treaty. That places the United States squarely upon the proper ground. I would go further and readily vote for a resolution which, I understand, was suggested by ex-Secretary Root, of New York, which reads as follows:

In ratifying the said treaty the United States reserves and declines to become a party to the agreements contained in articles 156, 157, and 158 thereof relating to Shantung, or to recognize the validity of any rights, titles, or interests which Germany purports by the said articles to renounce in favor of Japan.

Such a reservation would certainly place this country in the position of refusing to ratify the bargain which has been denounced here as immoral and in violation of the principles for which we stand. That seems to me to be exactly the position this country ought to take. It would accomplish what would have been accomplished had our commissioners in Paris declined absolutely to enter into this arrangement. I shall not take the time of the Senate to discuss that question at length, but let me make one further suggestion: Can we accomplish more simply by changing the terms of the treaty? Let us see how article 156 reads. As amended it would read:

Germany renounces, in favor of China, all her rights, title, and privileges—particularly those concerning the territory of Kiaochow, railways—

And so forth.

Germany has not done anything of the kind. She has said she renounced in favor of Japan. We say we will not be bound by that bargain; we utterly repudiate it. Of course, if we write a new treaty we can not take that position; but we are morally bound to see that it is carried out; and how shall we accomplish it? Shall we negotiate again with Germany and insist on the treaty in this respect being rewritten, assuming the obligation ourselves to decide whatever the rights of Japan in China may be?

I think that Japan should not control any part of China, but Japan undoubtedly has a just claim for compensation on account of the war, which, I believe, everyone recognizes and which, I am told, China recognizes. We propose to decide it regardless of

this consideration and compel Germany to make a new treaty, and insist that England and France and Italy, upon whose shoulders rests the responsibility of those secret treaties, shall write a new treaty. I do not believe we could accomplish it; I do not believe it is a position that we could honorably take.

I have heard a great deal said in this Chamber about entangling alliances in European affairs, and I sympathize with the desire to avoid them. For one, I desire the United States so far as possible to be free from the jealousies and entanglements that are prevalent in Europe, but the pending proposal certainly is not consistent with that desire. We are here directly taking upon ourselves for the first time in 20 years the responsibility of correcting this wrong.

The Senator from Idaho [Mr. BORAH] last evening was perfectly frank about this matter. He certainly has been perfectly frank and open in his discussion and opposition to this treaty, and I respect him for it. Everybody knows just where he stands. He certainly is not assuming to be in favor of the German treaty and at the same time trying to kill it with an amendment. His statement is as follows:

MR. BORAH. Mr. President, before the Senator from Massachusetts moves to take a recess, in reply to the able Senator from Wisconsin as to the apparent inconsistency of our voting for this amendment and then voting to defeat the entire treaty, I desire to say to him that in my humble way every possible vote that I can cast anywhere along the line in the hope of defeating it I am going to cast.

Undoubtedly the distinguished Senator when charged with being inconsistent can say he has never been, and he may console himself with the reflection which Gladstone made in the later years of his life, "Thank God, I have never been consistent."

It does seem to me that the only honorable course the United States can pursue is to declare its disapproval of these articles, refuse to be bound thereby, and reserve complete freedom of action respecting this matter. We will then occupy an honorable and an advantageous position.

I have no quarrel with the Senators who disagree with me. I may be wrong. I have been a good many times. I respect their judgment. They should respect mine. The motives of Senators who believe that this country should dissent from those provisions, refuse to ratify the treaty, reserve full liberty of action, and leave to England and France the entire burden, if they wish to assume it, of carrying out their secret treaties, should not be impugned.

Mr. President, I simply approach this subject from another point of view than the Senator from Idaho. I want to accomplish what I believe to be the same object in a way that I think would be consistent with the honor and the dignity of this Nation. I desire that the treaty with Germany be ratified, with such reservations as will absolutely protect the United States. I shall not vote to give any nation or any power or any council or any assembly the authority to regulate the political, domestic, and internal questions of this country, and I can not understand the position of men who would allow any foreign country to dictate or have a voice in those questions which must shape the destiny of this Nation. I do not believe in internationalism. I believe in nationalism; and I am going to vote for every reservation which preserves the absolute freedom and independence of this Nation in effecting the greatest nationalism, because I believe that the hope of the world depends upon the honor and the enlightenment and the progress of this Nation.

I can not understand the sentiment of any man who would bind this country to engage in war without the action of the constitutionally constituted authorities of the Nation; and I am not going to vote to imperil the Monroe doctrine, which for nearly 100 years has been a weapon of safety in the hands of the American people. Nor am I going to vote to place the seal of approval of this Nation upon any dishonorable bargain made at Versailles, but I am going to take that course which appeals to my judgment as being the most honorable and the most effective in ratifying this treaty.

I have no sympathy whatever with those who think the provisions of the treaty are too harsh upon Germany. If a swash-buckling criminal goes up and down your streets murdering the inhabitants, you punish him with death.

As Lloyd-George said, is the swashbuckler of Europe to be free to go up and down the streets of Europe spreading devastation and ruin and committing crimes unspeakable and not be punished? The German people must be made to feel down in their hearts that they have committed the greatest crime ever known against the civilization of the world. I wish to join in enforcing against Germany to the bitter end a punishment that will deter any civilized nation in the future from making such a war, and I wish to do it at the earliest date possible.

I can not understand many provisions that were agreed to in this treaty. It is weak where it ought to be strong, and it is

strong in some places where it ought to be weak; but I shall not stop to discuss it in detail. I can not understand why the labor provisions should have been included—why one class of people should have been allowed such recognition when the great farming class of the world, producing wealth and food, are utterly ignored. We should encourage the farmers of the world more than any other class. Show me a nation whose people are independent proprietors of the soil, rich in agriculture, and I will show you a great civilization. Show me one where agriculture is decaying and I will show you a moribund nation. It was the destruction of the yeomanry, the hardy farmers of Italy, that caused the destruction of the Roman Empire; and so here why should not this treaty have included agriculture and the farmer?

The treaty is before us. I have no sympathy with those who say, "Oh, we should accept it just as it is," and abrogate our functions. That is an absurd position. But we should accept the major part of the treaty, preserve the sound and proper provisions as far as possible, ratify the treaty, and end the war. I believe that is for the best interests of the people of this country. I believe it is for the best interests of the disorganized and unhappy peoples of Europe. It is not perfect. No treaty or outcome after the destruction of practically all the governments of middle Europe could be perfect; but out of it, I hope, will come the nucleus of a peace which may redound to the benefit of mankind.

MR. HALE. Mr. President, I voted against the Fall amendments last week. I shall vote against the Shantung amendment to-day; and while I am on the subject I may as well say that I expect to vote against the Johnson amendment to the provision giving Great Britain and her colonies six representatives in the assembly of the league of nations to our one when that amendment comes before the Senate for action. I also expect to vote against any other amendments that have been or may be proposed to the treaty. I fully believe that the treaty, as far as we are concerned, must be changed, but I believe that the changes may be brought about through reservations instead of through amendments. Long since I made up my mind to follow this plan, and I see no reason to change it.

In the case of Shantung I do not in any way approve of the provisions of the treaty, but I do not want to have this country left out of the treaty on its account, and I shall be satisfied at the present time with a reservation which will make it clear to the world that we are no party to the wrongful transfer of Shantung to Japan.

The idea that Great Britain or any other country will have a greater representation than ourselves in the assembly or council of the league of nations is repugnant and abhorrent to me. It is an outrage on the American people and is intolerable, but I am very certain that a reservation can be substituted for the amendment which will be equally strong if not stronger in protecting our American rights. Unless such reservation shall be adopted I have no hesitation in saying that I shall vote against the ratification of the treaty. Long since I made up my mind to stand for strong reservations instead of for amendments, with the full belief that with such reservations this treaty can, with our interests safeguarded and without sacrificing our American traditions can be ratified.

If we can not get such reservations I do not want to see the treaty ratified, but I am morally certain that we can get them. I can see nothing in the adoption of any of these amendments which can in any way aid in the adoption of the reservations that I want to see adopted. On the contrary, it seems to me that the adoption of any one amendment nullifies the benefit that we shall get from the reservation plan and may jeopardize the ratification of the treaty, and I do not want to see it so jeopardized.

On July 10 the President laid the treaty before the Senate. On September 10 the Senator from Massachusetts [Mr. LONGE] reported the treaty from the Committee on Foreign Relations. Since that time the treaty has been under discussion in the Senate. I think that everybody in the Senate and in the country is sick and tired of the whole debate. All of us know exactly how we are going to vote. We have reached the stage of recrimination. Each faction accuses every other faction of ulterior motives, of playing politics, of being pro-German or pro-English, of wanting to defeat the ratification of the treaty altogether, of being weak-kneed. This is a body of honorable, patriotic Americans, all working, I firmly believe, for what they consider the best interests of their country as they see those interests. The last two accusations I have mentioned are the only ones worthy of notice.

That certain Members of this body do want to defeat the ratification of this treaty is perfectly true. They admit it openly, and they have a perfect right to take that stand; but by taking

that stand I claim that they forfeit all right to lead us Senators who do not want to defeat the ratification of the treaty and to say what measures we shall or shall not adopt in bringing about such ratification.

And as to the accusation that some Senators are weak-kneed, let me say that no Senator is weak-kneed who has honestly worked out in his mind a plan, of whatever sort it may be, which in his heart of hearts he believes to be for the best interests of his country and who follows that plan through to the end. The weak-kneed ones are those—and I hope there are none in this Chamber—who, because of popular clamor or the fear of a misunderstanding as to their reasons for voting for or against certain measures, do not vote as their conscience directs them.

Mr. President, let me say in closing, I have the highest regard for the Senator from Massachusetts [Mr. LODGE]. I have nothing but admiration for the patience and consideration and skill which he has shown in handling this treaty in the Senate. I do not in any way question his leadership, but let me venture my humble opinion that if we really want to dispose of this treaty, the way to do it is to hold this body to night sessions and force the matter to a conclusion. The country wants action; the Senate, or the great majority of it, wants action; and, however necessary the delays in the past may have been, I believe the time has come when we can and should take action.

Mr. PHELAN. Mr. President, on account of the fact that the Pacific coast is deeply interested in the settlement of this question, I desire to suggest a new line of thought, in part, which may be of interest to the Senate. Our familiarity with the Japanese in California entitles us, I venture to say, to express an informed opinion, and in approaching this question I am sure the people of California will divest themselves of any prejudice, if they see a larger advantage to their country in taking their stand in this crisis side by side with the treaty of peace with Germany and the Covenant of the league to enforce it.

When Commodore Perry opened Japan he did not know what was in it. Ever since it has been a Pandora's box of trouble; but we, having brought this oriental problem on ourselves, are now obliged to find a remedy or a way out.

It is not the concern of China alone, but of the United States as well. The world itself is a party at the bar. We are talking of the political and economic policy of Japan. We are discussing her paramount position in Asia. If not restrained, sir, she will reduce all Asia. She has come into the Pacific. She has crossed the Pacific. Several administrations have had so much respect for her prowess at arms that they have offered no effective resistance to her peaceful penetration of America! At this very hour the Pacific coast is invaded, and the Territory of Hawaii, "the key of the Pacific," is in her hands. She has there an army of occupation. Her reservists are in possession. Twelve thousand Americans face 112,000 Japanese in the naval base of our Pacific Fleet! She is there about ready to take peaceful and legal control of the civil government. Yesterday I read this Associated Press report in a Washington newspaper:

HONOLULU, HAWAII, October 3.

Within 14 years Hawaiian-born Japanese will hold the political control of this Territory, according to the Rev. Dmetaro Okumura, a prominent Japanese clergyman, speaking at a church convention here. To prepare for the inevitable, declared the Rev. Mr. Okumura, it is essential that greater efforts be made to Americanize the younger Japanese who are growing into the franchise.

Born on the soil, they are still ineradicably Japanese. These people do not amalgamate with our own. They are permanently foreign, nonassimilable, and ineligible to citizenship, and owe allegiance to Japan. In California alone 100,000 Japanese, constantly increasing by law evasion, surreptitious entry, and by a phenomenal birth rate, are repeating the story of Hawaii, with the added peril of extensive land ownership and control. The best agricultural lands of the State are falling into their hands. The movement, I believe, is directed from Tokyo. Although not accompanied yet by the tramp of marching troops and the salvos of naval guns, it is none the less a real conquest. The Caucasian flees before the advancing Coolie. It is time to sound our trumpets and hold our ground!

You will understand, then, in approaching a discussion of this question raised by the Shantung amendment, I am not ignorant of the dangers that lurk in Japanese dominancy in the Pacific. I would, by any legitimate means, check her advance or turn her armies. Turn them where? Why, back upon Asia, where they belong. "The Lord made all men of one blood, but determined the bounds of their habitation." My answer therefore is that the remedy must be found either in the covenant of the league of nations or in the increase of our naval armament; and I am in favor of trying the league first. I see in the Shantung amendment the seeds of treaty disaster, and therefore I shall oppose it. Let us analyze the situation.

The award by the peace conference of Shantung to Japan, as embodied in the treaty of peace with Germany, articles 156, 157, and 158, reads as follows:

Germany renounces in favor of Japan all her rights, title, and privileges, particularly those concerning the territory of Kiaochow, railways, mines, and submarine cables which she acquired by virtue of the treaty concluded by her with China on March 6, 1898, and of all other arrangements relative to the Province of Shantung.

Other paragraphs specify details. Twenty-one years ago Germany acquired, by treaty, from China, without protest from the United States, the rights herein enumerated for a period of 99 years. The methods by which this was obtained may be open to question just as the methods by which the other countries, including our own, have acquired territory. Soon after the war was declared in 1914 Japan entered the conflict by declaring war against Germany; and later entered into secret agreements with England and France, Italy and Russia, by which she was to acquire the German concession—doubtless as a reward for her participation in the war. Subsequently the United States entered the war, and at the Versailles conference learned for the first time of the bargain which Japan had made. By treaty China herself has since confirmed the German rights to Japan. That is the law of the case. What service did Japan render? What was the consideration? Before the secret treaty was negotiated she sent her armies against Germany and drove that power out of Asia by taking, by force of arms, Germany's holdings in the Shantung Peninsula; and the treaty of peace with Germany seeks to confirm Japan's succession to German rights. Japan also expects to be awarded the mandatory of the German islands north of the Equator.

As an ally, Japan protected the Pacific against the enemy, and by reason of her alliance with the Entente Powers the United States was free to send her Army and Navy abroad, which resulted in the winning of the war. If Japan had allied herself with Germany—and there was always a fear of this—the United States could not have afforded to have left unguarded her Pacific possessions, which would have kept her troops and ships at home. So, as it turned out, the services of Japan were of real value, although she did not send her armies to the front and was very chary with respect to the disposition of her ships.

Because the United States asked nothing for her services, we are disposed to look upon the other nations as international profiteers, and this has biased our minds against the countries which have sought and secured their own aggrandizement. One of the German islands, the island of Yap, is desired by the United States for radio and cable purposes, and it is yet a question whether the award shall be made. That it should be made there is no reasonable question, because the only object is to improve our international communications, which should be of benefit to the eastern world. Unless we are prepared to deny Great Britain, France, and Italy the spoils of war, we can not with entire consistency in the circumstances exclude Japan. It offends, I will, however, admit, one's sense of justice to see a country peopled by the Chinese taken over by either the Germans or the Japanese, the English or the French, who do not claim to have any considerable number of their nationals in the territory, but who take it for purposes of expansion or trade exploitation.

The Japanese are a very prolific people, and have been constantly seeking more territory for their excess population, and have in turn taken Formosa and Korea, neighboring States. They had beaten China in war in 1894, and had taken a part of Manchuria. They had, in 1904, beaten Russia, taken Port Arthur, and established their position as a world power. The Chinese Republic, so called, with a population of 400,000,000, is so badly organized that it can not defend itself against vastly inferior numbers, and has been and is exposed to the predatory territorial and trade designs of other countries as well as Japan. All America has a genuine sympathy for unfortunate China; but how far should America go in this case, and how far to save China from further absorption by Japan? In this case Japan had not wantonly attacked China, but had attacked Germany and taken away German rights which were conceded by treaty to Germany by the Chinese, who later by treaty confirmed them to Japan.

Hereafter, under the constitution of the league of nations, Japan can not commit an act of aggression against China without incurring the prescribed penalties. In other words, the league is China's future protection; and if an attempt is now made to disturb Japan's title to rights in Shantung without her consent it is probable that Japan would withdraw from the league; and she is quite equal to making alliances with other countries, such as Russia and Germany, as soon as they are rehabilitated. The question, therefore, is one not for the expression of our sympathy or resentment or for the reconquest of Shantung against Japan, but to see how far the success of the league and the peace of the world are served by our noninter-

ference at this time. Japan has promised to restore Shantung to China, but asks to be allowed to do it in her own way; but the league can, if so disposed, hold her to it.

Let me repeat, the nationals of Japan are swarming the Pacific, and have made very serious inroads upon the Pacific coast of the United States and the Hawaiian Islands. Two hundred and fifty thousand Japanese, it is estimated, are in the United States and our Territory of Hawaii, and constantly increasing. In California they are absorbing the best agricultural lands and driving the white men from the country in a fierce competitive struggle. It is only a matter of a short time, unless interrupted, when Japan will be master of agricultural California. The "gentlemen's agreement" has broken down; and I have recently introduced a bill in the Senate which, if enacted into law, will exclude Japanese just as the Chinese are excluded now.

It is our stern duty to consider the interests of our own country before the interests of any other land; and not only are our own interests embraced in the preservation of peace but in ridding America of the Japanese incubus. If Japan must expand, then her expansion in Shantung, by agreement with China, and in Siberia is more acceptable to us than her expansion in America, both North and South. She has inaugurated a steamship service which dominates the Pacific, and is landing her nationals upon North and South American shores. If we exclude Japan from America as a wise national policy, then we should not be unduly alarmed about Asia. But we need go no further than Shantung in the acceptance of this idea. What she now holds in Asia is an ample field. The league of nations will prevent her forcible expansion in the future, and Japan is a member of the league of nations. For this purpose we must keep her there.

The President, at the peace conference, reluctantly consented to this arrangement, doubtless for these reasons: Because he could not mend the past; because he could not repudiate—not having the power—the treaties entered into by England and France, Italy and Russia, with Japan. He made the best of the situation by consenting to the granting of the German lease to Japan, having exacted a promise that she would return the territory to China, and he has since requested an expression from Japan as to her present intentions as to the date of the transfer. That was as far as he saw fit, thinking principally of his own country, to go. As to China, a decrepit nation, taught nonresistance by Confucius, without apparently the means of defending her own territory, the league of nations, with Japan included, certainly seems to be for her a great and permanent boon. Does China want us to abandon the league or leave Japan out of it? No one will blame China for making her protest; and she ultimately may attain a position of power by which, like France and Italy, she may be able to win back her lost Provinces and measure her strength with the "Huns of the East." "Hereditary bondsmen know ye not who would be free, themselves must strike the blow."

Japan, German trained, is, in all respects, like the defunct German Empire, seeking power and territory, and, if not arrested by the league of nations, will ultimately be the cause of another and more serious war. And the United States is deeply concerned in checking the unholy ambition of Japan just as she did check the ambition of Germany, and it is by force of the league of nations that this may be done, possibly without involving a clash of arms, but simply by the moral weight of the associated nations and their power to exert economic pressure. Germany was allowed to progress too far. Japan is yet in the infancy of her budding dream of empire. So the task is not difficult to check her without humiliating her nor offending what has become peculiarly Japanese—national sensibilities. Let us see whether she will keep her promise to China before we post her as a "welcher" and bar her from the society of nations.

When the Philippine commission was in Washington last summer, its members testified before the Joint Committee on the Philippines and prayed for independence. They admitted that by the guiding hand of the United States, over a period of 20 years, they were fitted to assume control of their own government. At that hearing was this colloquy, taken from the record:

Senator PHILAN. I would like to ask, Mr. Quezon, if, after you were assured of independence, would it be the intention of your government to apply to the league of nations, if it exists at that time, for membership, and would you regard that as a sufficient protection against outside aggression?

Mr. QUEZON. Yes, sir; I think so.

Senator PHILAN. And your desire is to have your independence within a reasonable time in order that you might make that application for membership in the league of nations?

Mr. QUEZON. Yes, sir.

And then he went on to testify that, in case the Philippines did not join the league of nations, the United States would, he

thought, resent any attempt by Japan to attack the Philippines after their independence had been granted by the United States—that is to say, the people of the Philippines look first to the league of nations, and, falling in membership, look to the United States, on account of the special obligation we have toward that country.

But by joining the league of nations they will save themselves from aggression and at the same time save the United States from engaging in a war with Japan. This shows very clearly not only the security which China will also enjoy against future aggression, but it also shows how the league tends to avert war and to preserve the peace of the Pacific and of the world.

While I am frank to say that I would go far to cripple the present and potential menace of Japan in the Pacific, I do not see how that purpose can be served by dividing the league of nations and seeking vainly, with the aid of the other powers, to deny her the German rights in Shantung. On account of the treaty obligations, England, France, and Italy are in no position to join with us in any such revision of the treaty even if they were well disposed; and any upset on this question at this time might result in the isolation of the United States, and, certainly, the disruption of the league. Furthermore, does not Japan's own promise to China, the President, and the conference relieve us of the necessity of action at this time?

But let China know that the league, for the first time, sets up a tribunal to which she can make appeal and seek a settlement; or, at the worst, at the expiration of the lease, the league, if it endures, can enforce the terms of the treaty of peace with Germany granting only a lease, and to save her sovereignty.

But, Mr. President, why, therefore, should Senators express such hysterical concern? Remember collaterally that Japan and China, if united and organized, would be a great menace to America and Europe. And would it not be a real diplomatic achievement to keep Japan and China apart, which, while it is far from our purpose, is at this time actually accomplished by the irritation growing out of the Shantung incident. Japan is disposed to yield, in some particulars, to placate China, because it is her imperial policy to use China in the fulfillment of her ambitious designs. The nations of the world, for their own interests, are opposed to the further dismemberment of China, and it is not improbable that article 10 was set up, among other reasons, as a bulwark against Japanese aggression. China, if no other recourse was left her, could well afford to pay with the temporary Shantung lease for this protection.

So, from whatever angle you look upon it, in the light of American interests, it seems to be a situation to leave severely alone; and, beyond all question of doubt, there is nothing in the compulsory solution of it at this time favorable to China which would offset the grave danger to the peace of the world by the otherwise probable disruption of the league of nations.

But a false issue has been interjected into the debate. Japan's invasion of America has suggested a punitive expedition into Asia, and here, it is said, is our opportunity.

I do not see how the question of Japanese immigration and naturalization is involved in this matter at all.

We will not consent to "race equality," which involves immigration, naturalization, the elective franchise, land ownership, and intermarriage. It was rejected at Paris. These are domestic questions with which the league has no concern, and, 'tess there be a doubt under article 11 as to the power of the league to take jurisdiction, I am in favor of an explicit interpretative reservation on the subject.

For the reasons stated, which seem to me conclusive, I will vote against the Shantung amendment. I am dispassionate. I am calmly considering American interests. I am not indulging in hatred of Japan nor seeking to injure her, actuated by either fear or resentment. Neither am I sentimental. I have asked myself, "What is best for the United States in this crisis? What is best for China and the world?"

If an uncompromising attitude on our part should alienate Great Britain and France and Italy and force them to stand for Japan, pursuant to their treaty obligations, it might jeopardize the success of the league of nations itself and the treaty of peace with Germany, which embody the fruits of victory. The world hangs upon our decision.

We should, in the spirit of a watchful, benign, and unselfish Republic, remain in the league, and, by disinterested counsel and the moral power of our exalted position, guide its deliberations aright.

We acted with magnanimity in the war; we shall not assume a mean and pusillanimous part in the constructive work of peace.

Mr. TOWNSEND. Mr. President, I do not hope to add anything to the information which has already been submitted to

the Senate after a debate which it seems to me has already been too greatly prolonged. I do feel, however, that it is proper for me at this time to express very briefly my views on this particular amendment.

I regret exceedingly that so many harsh things have been said relative to Japan. Very much intemperate criticism has been indulged that might better have been omitted at this time, a time when we are seeking to compose the great troubles of the world. Japan was our ally. She was in the war before the United States entered it. She rendered invaluable service against Germany and the United States should be the very last to condemn her improperly.

There are two sides to the question in spite of all that Senators may say. Japan has more than a color of title to the Shantung territory. She holds it by a treaty with China. She holds it by conquest. She holds it by a later treaty with the Allies. Whether her treaty with China is a conscionable one or not is, of course, debatable. Germany's title, obtained in 1898, was of doubtful equity, but *prima facie* Japan's title is good.

Now, the treaty that is before us has been enacted, so far as this territory given to Japan is concerned. The Allies have agreed to its provisions. Whatever we do will not change the situation. We can not, if we would, turn Shantung over to China. I do not like it. I like it as well, however, as I do other provisions of the treaty.

We had one representative, and practically only one representative, at the peace table, and he was much less concerned about the treaty of peace, for which he was supposed to go to Europe, than he was in the league covenant. He evidently consented to things which he now admits were not wise or just. But I think I am perfectly fair to the President when I say that he apparently had little concern in the treaty and great concern in the league. That treaty distributes the spoils of war among the Allies. The United States gets nothing; it wants nothing. It seemed necessary that it should join in the treaty, which is already effective so far as the Shantung territory is concerned without the signature of the United States.

The principal question with us is, Shall we join in this treaty or shall we make a new one, a separate treaty, with Germany? I think the wiser course is for us to join in this one. But made, as it was, without due consideration for the responsibilities and embarrassment of the United States in the matter, and it now being before the Senate for its consent, it seems to me not only wise but entirely patriotic for the United States to declare in the articles of ratification just what our position and understandings are.

Our position is, and it is the only defensible position for us to occupy, that this treaty was arranged and agreed to by the Allies for their own selfish benefit, the United States being a party only nominally, and that those concerns belong to the Old World countries and not to ours. I am in favor of reservations in reference to this matter which shall make this point clear.

I am unalterably opposed to section 10 of the league covenant as it was presented to the Senate, and which, improperly in my judgment, involves us in the troubles of the Old World, and which requires that we shall carry out the provisions of the treaty as to the distribution of territory among the Allies; in other words, it binds us to maintain existing boundaries, boundaries such as are involved in the Shantung incident. I am opposed to that, and propose to so reserve it, as to make it clear that we assume no such obligation whatever. That is a constitutional question; that is a question that can only be solved when it arises by the United States Congress. I want to attach to the resolution of ratification such a reservation in reference to Shantung as will show that we do not approve of its transfer to Germany in 1898, and that we insist that Japan must transfer that territory to China. I want to make clear that the United States is not responsible for this treaty provision. I am willing to wait the future to determine whether or not Japan is going to carry out what is practically a promise by her to return this territory to China at the close of the war or when peace is established.

I do not want to change this treaty as proposed by the wording of this amendment substituting China for Japan; for, by so doing, the United States becomes responsible for a distribution of the spoils in Europe. That is what I am protesting against. I want to keep out of the map-making business for the Old World. This amendment if adopted becomes our proposition, and we must defend it. I want to wash my hands of the whole matter so far as that is concerned; and it can be done by proper reservations.

As I said a few weeks ago, unless not "mild reservations" but strong, meaningful reservations are attached to the resolution

of ratification, I shall feel it my duty, without a question, to vote against the whole treaty. My duty is clear to me. I have doubt about some matters in the treaty which have been intentionally complicated. When the President went to Europe, I repeat, he was interested in a league of nations and regardless of the treaty, and he carried out his threat to so complicate the league with the treaty as to make it difficult, if not impossible, for the Senate to perform its full duty.

But, Mr. President, it is a condition that confronts us now. Here is a treaty agreed to for the benefit of the Allies in Europe. I want them to assume the responsibility; and I want to say in the resolution of ratification that we are not responsible. I want to define just exactly what our attitude is. Then, I want this treaty consummated, for we have already indulged in debating this matter long enough. Now, we ought to act upon it. I think every Senator is prepared to vote and act according to his conscientious convictions of duty.

I shall not criticize Senators who vote against me on this proposition; I am going to accord to them the same honesty of purpose that I demand for myself; but it has been embarrassed by prejudices, by propaganda from every source, and it has, indeed, been difficult for Senators to conclude what is best for our country under all the circumstances. Many of its provisions are clouded in mystery. No man can truthfully say that he clearly understands it. On this amendment, however, I am clear and I shall vote against it, believing confidently that we shall have an opportunity to vote for a declaration of the United States Government as to what our attitude is in reference to this whole matter. I am willing to leave the matter where it belongs—with the Allies, with the Old World countries, who are responsible for this treaty. They have already settled it.

Mr. STERLING. Mr. President, I read from the concluding paragraphs of the pending treaty, as follows:

A first procès-verbal of the deposit of ratifications will be drawn up as soon as the treaty has been ratified by Germany on the one hand and by three of the principal allied and associated powers on the other hand. From the date of this first procès-verbal the treaty will come into force between the high contracting parties who have ratified it. For the determination of all periods of time provided for in the present treaty this date will be the date of the coming into force of the treaty.

It would appear, Mr. President, that this treaty, then, is already in force, so far as Great Britain, France, Italy, and Germany are concerned; and, if not in force, so far as Japan is concerned, it is a foregone conclusion, I think, that it will be in force at an early date. Accordingly, so far as the relation of the powers named to Shantung is concerned, this treaty is an accomplished fact.

Mr. LODGE. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Massachusetts?

Mr. STERLING. I yield.

Mr. LODGE. Did the Senator from South Dakota see in the morning papers the dispatch in reference to the treaty going into effect?

Mr. STERLING. I did not.

Mr. LODGE. That dispatch reads as follows:

PEACE IS POSTPONED NOW INDEFINITELY.

PARIS, October 15.

Formal ratification of the peace treaty with Germany, making it effective, which was expected this week, has been indefinitely postponed, the American delegation to the conference announced to-night.

The decision not to complete the formal ratification this week was due chiefly to the inability of the three ratifying powers upon the Entente side to make the necessary preparations to carry out provisions of the treaty which must be attended to within a brief time after the actual ratification.

Earlier in the day it was supposed that on Friday or Saturday representatives of Great Britain, Italy, and France would exchange ratifications with Baron von Lersner, the present head of the German mission.

Pierpont B. Noyes, American member of the interallied Rhineland commission, conferred to-day with Frank L. Polk, head of the American delegation to the peace conference, regarding the status of the occupied area of Germany, which may be left without either civil or military government when the formal completion of the Versailles treaty, without American participation, brings the armistice agreement to a conclusion. The Rhineland convention, which creates a civil commission with British, French, American, and Belgian members, stipulates that all four Nations must designate their members before the commission can function.

Military government over the territory must end with the armistice, and the peace conference is having difficulty in devising an interim government pending American ratification.

Mr. STERLING. By whom, may I ask, is the ratification postponed?

Mr. LODGE. By the three powers that have ratified the treaty.

Mr. STERLING. They have indefinitely postponed the going into effect of the treaty?

Mr. LODGE. The dispatch reads:

The decision not to complete the formal ratification this week—

Which can only be completed by the deposit of ratifications—was due chiefly to the inability of the three ratifying powers upon the Entente side to make the necessary preparations to carry out the provisions of the treaty which must be attended to within a brief time after the actual ratification.

Mr. STERLING. I have not seen the dispatch to which the Senator calls attention.

Mr. LODGE. The result which the Senator has described will be the same.

Mr. STERLING. I think the result will be the same, and that the treaty will be ratified.

Mr. President, I have during the progress of this debate been somewhat interested in the very high moral ground taken by some Senators who are in favor of the pending amendments. It seems to me, at times, that it is late in the day to stand on such a high moral plane with reference to treaties between nations. There was no great protest at the time of the cession of Shantung to Germany.

Mr. POMERENE. Mr. President, was there any protest at that time?

Mr. STERLING. I do not remember any protest. There is this to be remarked, however, concerning our policy, attributable to the great statesman and diplomat, John Hay. As Secretary of State he contended for the open door in China, and in that respect accomplished great things. But following the treaty between Germany and China under which Shantung was ceded to Germany we had this situation: Russia acquiring a lease of Port Arthur on the same terms under which Germany acquired Shantung; Great Britain, not to be outdone, immediately demands the cession of a port to her, and Wei-hai-wei is ceded or leased to Great Britain for a long term; France is not to be behind, and so she immediately proceeds to acquire concessions from China, and her dominion over Kwang-chau Wan is the result. Italy desired concessions, but at that point China refused further concessions, and Italy did not succeed in securing them.

Mr. BRANDEGEE. Mr. President—

Mr. STERLING. I yield to the Senator.

Mr. BRANDEGEE. Does the Senator know whether John Hay was Secretary of State at the time Germany obtained her so-called concessions from China?

Mr. STERLING. I am not quite certain, but I think not. I think he became Secretary of State just a little later than that—about 1900 or shortly prior to 1900.

Mr. BRANDEGEE. The reason I asked the question was—

Mr. THOMAS. Mr. President, it was about the 1st of September, 1898, that John Hay became Secretary of State.

Mr. STERLING. Then, that was after the cession of Shantung.

Mr. THOMAS. Oh, yes.

Mr. HITCHCOCK. Mr. President—

The PRESIDENT pro tempore. To whom does the Senator from South Dakota yield?

Mr. STERLING. I yield to the Senator from Connecticut.

Mr. BRANDEGEE. The reason I asked the question was that I understood the Senator to comment upon the fact that the United States had made no protest at the time Germany acquired whatever she did acquire from China, and he referred in complimentary words to the policy, if not originated, insisted upon, by Secretary Hay as to the open door. I saw in the public prints the other day that Secretary Hay was not Secretary of State at the time the Germans obtained their concessions, and I am glad to hear it confirmed on the floor of the Senate; but I call the Senator's attention to the fact that we were not a party to the acquisition of whatever Germany obtained from China.

Mr. STERLING. I understand that perfectly, I will say to the Senator from Connecticut. We were not a party, but we did not protest in any way; there was no official protest, and, so far as I remember now, no general sentiment among the people of the United States against the acquisition by Germany of Shantung.

Mr. HITCHCOCK and Mr. McCUMBER addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Nebraska?

Mr. STERLING. I yield to the Senator from Nebraska, who rose first.

Mr. HITCHCOCK. I have before me the exact dates of the successorship to the office of Secretary of State, if the Senator would like to have them.

Mr. STERLING. I should be pleased to have the Senator read the dates.

Mr. HITCHCOCK. McKinley went into office on the 5th of March, 1897, and appointed John Sherman as Secretary of State. He was succeeded on April 26, 1898, by William R. Day, who was succeeded on September 20 of the same year by John Hay.

Mr. McCUMBER. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from North Dakota?

Mr. STERLING. I yield to the Senator from North Dakota.

Mr. McCUMBER. To confirm what the Senator from South Dakota has said, I wish to call his attention to the fact that at the time the German treaty was made we not only did not protest, but we simply asked Germany if she would agree to maintain the "open-door" policy, and Germany replied that she would continue to maintain the "open-door" policy, and we replied simply thanking her for that assurance. That was almost equivalent to an agreement with her.

Mr. WATSON. Mr. President—

The PRESIDENT pro tempore. Does the Senator from South Dakota yield to the Senator from Indiana?

Mr. STERLING. I yield to the Senator from Indiana.

Mr. WATSON. I call the Senator's attention to the fact that during all of that time the War with Spain was either on or was threatening. The difficulty with Germany grew out of the fact that Admiral Diedrich, who was in command of several German battleships, went down to Manila Bay, as the Senator will remember and as other Senators will recall, and that Dewey had to threaten him on that occasion. Soon thereafter he joined Prince Henry at Tsingtau, where they captured that harbor and that fort, and took possession; and it will be recalled that at that time we were actually at war with Spain. I happened to be a Member of Congress at that time, and I recall that it was with fear that we read the paper every morning, lest we might be engaged in a controversy with Germany also; and while we were engaged in that one war, it would have been the sheerest folly for this country to have committed any act that would have compelled us to go to war with Germany, because the sound, sane policy of that administration, as always of any country at war, was "one war at a time."

That, in my judgment, is the reason why we did not protest. That was sufficient reason for not entering a single protest on that occasion.

Mr. STERLING. Let me ask the Senator from Indiana now if he really thinks that if we had not been at war with Spain at that time there would have been a protest on the part of the United States, or the Secretary of State of the United States, against the acquisition of Shantung? I doubt very much whether there would have been any such protest.

Mr. WATSON. My candid judgment is that there would have been. It was in exact line with the policy of that administration, and was certainly in harmony with the action of John Hay.

Mr. STERLING. Does the Senator recall having heard it discussed in official or diplomatic circles?

Mr. WATSON. I do not, for the very reason I have just mentioned—that we were at that time engaged in a war with Spain.

Mr. KING. Mr. President, will the Senator yield?

Mr. STERLING. I yield to the Senator from Utah.

Mr. KING. The Senator might ask the distinguished Senator from Indiana whether there was any protest when Korea was absorbed by Japan. I do not recall that any warlike attitude on the part of any nation in the world deterred us then from raising our voice against what they denominate a great crime.

Mr. WATSON. There was not; but we had not then come to the John Hay policy in the Orient. Not only that, I will say to my friend from Utah, but two wrongs do not make a right. I have no apology to make for the action of our country with reference to Korea. I think it was absolutely wrong, and I believe that it would have been in keeping with the highest national morality if we had protested, even under the conditions that beset us, when Germany took possession of Shantung.

Mr. KING. Mr. President, will the Senator from South Dakota yield just one moment further?

Mr. STERLING. I yield.

Mr. KING. Under the treaty which we had with Korea there was a moral obligation resting upon this Government to intervene, or at least to make representations against the wrong which was being wrought against her sovereignty; and we were asked to do it by Korea, and we failed to respond.

Let me make just one further observation. I place against the patriotism and the statesmanship of John Hay the patriotism and the statesmanship of Theodore Roosevelt. Theodore Roosevelt was President, as I recall, when Korea was annexed. No; I am in error in respect to that.

Mr. WATSON. That was in 1910.

Mr. THOMAS. Mr. President, if the Senator will pardon me, the protectorate of Japan over Korea was in 1907. Korea was absorbed into the Empire of Japan in 1910.

Mr. KING. What I was about to observe was that, with respect to Germany's aggressions in the Orient, Mr. Roosevelt made no protest.

Mr. BORAH. Mr. Roosevelt was not President when the German aggression took place in 1898.

Mr. THOMAS. He was President in 1907, when the protectorate was declared.

Mr. BORAH. Yes; but while it is immaterial in one sense, because an equally strong man was President, yet, as a matter of fact, Roosevelt was not President in 1898. It was McKinley.

Mr. STERLING. Mr. President, I call attention to these facts, not for the purpose of defending the acts of Germany or of Japan, but because of the high moral ground on which Senators supporting the amendment appear to stand. We did not, whatever the circumstances, protest against the acquisition of Shantung by Germany; nor did we protest against the acquisition of Port Arthur for a like term of years by Russia immediately following; nor did we protest against the acquisition of Wei-hai-wei by Great Britain; nor did we protest against the acquisition of Kwang-chau Wan by France. There were other events plainly involving moral questions as to which we have been silent, making no protest. I do not defend them. But, further, we did not protest the invasion of Belgium, great as that wrong was, but we were advised about that time to be neutral in thought as well as in word and in deed; and I may say that the people of the United States of America seemed for the time being to be in accord with the sentiment, although a tremendous moral issue was involved, when, under some kinds of leadership, the sentiment of the people of the United States would have been aroused on that great moral issue.

Mr. President, fault is found because the treaties made early in 1917 between Japan and Great Britain and France and Italy were secret treaties. I hail the coming time of open diplomacy. I believe in it; and, of course, in times of peace all diplomacy should be open; but how otherwise than by a secret treaty could they have acted at that time? Must they have published to the world, Germany and Austria included, the terms of the treaty between Great Britain, France, Italy, and Japan? I think not; and it was not to be expected that the treaties would have been published to the world.

What, perhaps, were some of the motives for making such treaties at the time? Well, of course, there was Japan's part in the war. Under the Anglo-Japanese alliance, she came into the war in August, 1914. She did not render a part or a service in the war of which she particularly boasts, as I understand, but rendered valuable service. She rendered service, of course, in the capture of Kiaochow; she rendered a great naval service; and she rendered a further service by supplying in the year 1915 alone \$100,000,000 worth of munitions of war to Russia, including 750,000 rifles, or rifles enough to equip several divisions of Russian troops.

Recognition, then, on the part of these other powers, put to the stress that they were in this war, was one motive, undoubtedly, for the secret treaty with Japan. Japan, after the taking of Kiaochow, had furnished a fleet that convoyed the British transports from Australia and New Zealand to the seat of war. She sent her flotilla of submarines to the Mediterranean Sea, a little later on, that kept the way clear from Gibraltar to Suez and from Marseilles to Alexandria. That was a part of the service that Japan rendered in the war.

So much, therefore, for the position of the Allies at that time. The war had been going on two and a half years and America had not yet gotten into the war when these secret treaties were made and the issue hung in the balance. I find no particular fault with the treaties made with our allies or our associated powers and Japan in that regard. I think it was such a treaty as probably might have been expected, for they said, "China has, by agreement with Germany, given a lease for 99 years on Shantung, and under the circumstances we are not taking anything away from China." It was but natural that under the stress of circumstances in which they were placed they should so reason.

Now, Mr. President, what is the situation? It has been argued here that we should make this amendment and have the treaty go back, with the hope that Great Britain and France and Italy might recede from the position they have taken in regard to Shantung and the transfer of it to Japan, and we would have our way; we would be able to carry out our idea of the moral question involved, and all would be well. But, Mr. President, is it believed by a Senator here that under the obligations they have assumed in the treaty with Japan that Great Britain or France or Italy are going to renounce that treaty and agree to our proposed amendments to articles 156, 157, and 158 of this treaty?

I do not for a moment believe they can, and, Mr. President, I could not have a very high opinion of them and of their sense of honor if they did. They are bound by every sense and sentiment of honor to stand by their treaty. They will do it, I believe, trusting that Japan will, in the course of time and in a reasonably short time, renounce her claims to Shantung.

So, Mr. President, with the treaty an accomplished fact, practically—though I qualify now the statement formerly made by what the Senator from Massachusetts [Mr. LODGE] read into the Record from a dispatch found in the papers this morning—yet I think for all practical purposes we can treat it as ratified as to these three powers and Japan, without any hope of alteration in respect to the Shantung provisions of the treaty.

But, Mr. President, there is the wrong, nevertheless. We can more than make protest against it and against the acquisition of territory by any nation under the circumstances, or in such circumstances as those under which either Germany or Japan acquired Shantung.

We can in unmistakable terms, as we should, have a reservation here, such as was foreshadowed in what the Senator from Wisconsin [Mr. LENROTH] said last evening, a reservation withholding our assent from these three articles, and reserving the right of full liberty of action in any case or in any controversy arising under articles 156, 157, and 158 between China and Japan.

I think, Mr. President, in conclusion, that I simply voice the general sentiment of the people of the United States to-day, and I hope I am not presumptuous in saying so. Are they in favor of this treaty just as it is? No. The overwhelming sentiment of the people of the United States is against it. As an example of the sentiment of my own people I received but yesterday a communication from the registrar of a ministerial conference in the northern part of my State in which they asked for the ratification, but with "reservations"; and I think they know now, for the most part, what reservations should be adopted here in our resolution of ratification.

For my part I would not vote for an amendment that I believed would defeat the treaty, if at the same time we can protect American rights and interests by reservations. I believe we can. I have said enough, Mr. President, to indicate how I shall vote when it comes to voting on the Shantung amendments.

Mr. McCUMBER. Mr. President, I desire to take only a minute or two in referring to the debate of yesterday and the day before. I think it very appropriate, while epithets of dishonor are being hurled against those who fought and bled and died for the cause in which we, as a great Nation, were engaged, that I should say one word in favor of our allies. I may need to apologize to the junior Senator from Delaware [Mr. BALL] and the senior Senator from Missouri [Mr. REED] if I draw certain conclusions from their own expressions which they might say would impugn the motives of a Senator.

Mr. President, I do not think that our allies in entering into the treaty with Japan were committing a heinous offense. I do not think they were committing even a dishonorable act. I deny that they were taking the territory of one ally and delivering that territory to another ally, for the simple reason that they were taking nothing but what was held by Germany, our enemy, and at the time of the taking, the date of the treaty, China was not our ally at all, not having at that time made her paper declaration of war.

Mr. President, in 1915 Great Britain had but a little army in the field, but was attempting to form a great army to place upon the battle front. At that time her ships were going down at the rate of 10 a day, and some weeks more than 70 of her stately ships were being sent to the bottom of the ocean. France was being pressed to death. She was bled white along every line of battle. Italy was at that time scarcely in the field. They were dark and gloomy days not only for the Entente powers but for the civilization of the world. Japan had seized whatever rights Germany had in China. With these German leasehold interests in her possession, France, Great Britain, and Italy entered into an agreement with Japan that she might hold what she had thus taken, and that in the final treaty they would sustain her claim to hold what she had wrested from Germany.

China had not turned over her hand to wrest from Germany what Germany had taken from her in 1898. At that time she was not even protesting against it. At that time she was submitting to it in all humility. What offense, then, Mr. President, was committed by France and Great Britain and Italy in saying to Japan—possibly to keep her in the war; I can not say—"You may retain whatever rights you have taken from Germany"?

So far, Mr. President, I do not think that it is in the mouth of any American to condemn the action of our allies in making the treaty. The very lives of the nations of the Old World were in the balance when the treaty was made. It was no dishonorable act against China, because China was making no claim of repudiation at that time, either that she would make war against Germany or that she would resist the German rights. On the contrary, about that time she had agreed with

Japan that the latter might hold what her armies had wrested from Germany.

Mr. President, referring to words that were used yesterday, and I approach them with some timidity and fear, lest some one will raise the objection that by quoting the words of a Senator I am imputing to him some wrongful motive, I find these declarations made by a Senator yesterday:

To fail to advise the United States of the terms and conditions of those treaties, * * * in view of the announced principles of the United States in the conduct of the war, amounted to bad faith upon the part of the countries which withheld the information, bad faith to such an extent as to relieve the United States from any moral obligation whatever of giving any consideration to the terms of those treaties.

Mr. President, it is not necessary that we should give any consideration to the terms of the treaties if we do not wish to do so, but that course can not be predicated upon the theory of any bad faith on the part of our allies.

Again quoting, with the permission of those Senators:

But when they concealed those treaties, their terms and obligations, from the people who were entering into the war upon a specified program and upon specified principles, they had no right thereafter at any time ever to ask the United States to give any consideration to their terms.

And again:

They not only concealed them, but, if I may be permitted to say so, they affirmatively misled the world in regard to the fact of their concealment, and particularly the United States.

Mr. President, Senators have gone further than that, and have asserted as a fact that when Joffre and Viviani and others were present here on the Senate floor, when we listened to their earnest declarations as representing countries that were bleeding to death in this struggle, when every sympathy of the heart of the great American people was responding to every word that they said, those men, Joffre and Viviani and Balfour, were deceiving the United States; that it was their duty to inform us then and there, in the Senate and by publication, just what agreements they had made with Japan upon the Shantung proposition.

Under what theory of ethics, Mr. President, were they compelled to tell us? At what time in the struggle, Mr. President, did the obligation to publish their treaties to the world occur? Before the United States declared war certainly no one will claim that there was any obligation resting upon them to publish to Germany or to the United States or to anyone else what their treaties were at that time. The moment the United States came into the war, upon what theory were they then compelled to give that information to the United States and to the world?

The theory was given by the Senator yesterday, when he said:

But when they concealed those treaties, their terms and obligations, from the people who were entering into the war upon a specified program and upon specified principles.

What were they? What were the specified principles upon which we entered into the war that required other cobelligerents to make known to us what treaties they had made prior to our entry into the war? What effect would the knowledge of these treaties have made upon our war program? Well, Mr. President, I suppose that our declaration of war gives us the real reason for which we entered into that war. I have never had much sympathy with these reiterated declarations that we went into the war to uphold some great principle. We did nothing of the kind. We went into the war because we declared that Germany had made war upon us, and we were defending ourselves. We never said a continental word about any other principle in that war. This is what we said:

That a state of war between the United States and the Imperial German Government, which has been thrust upon the United States, is hereby formally declared.

That was all the reason that we declared. War had been thrust upon us, and we defended ourselves.

Mr. WATSON. Mr. President—

Mr. McCUMBER. Nothing was said about fighting for a world democracy or fighting for any principle. If we had been fighting for principle, if that was the reason for the war, then why did we not get into it when it was started, because we knew what the principle was then just as well as we knew three years after that? I yield to the Senator from Indiana.

Mr. WATSON. The Senator is not in accord with the theory, then, that we went into the war to defend the principles embodied in the 14 points?

Mr. McCUMBER. No; I am not in accord with it at all. We went into the war because war was made upon us. When Germany said to this country, "You can paint one ship like a barber pole, and when you do that you may then cross the ocean once a week with it," we knew we should have to fight, and we did. That was all there was to it. We did fight. I admit that there was a great world principle at stake; but, Mr. President, that was not what brought us into the war.

I want now to say just one word to those Senators who are talking about pro-Germanism and saying if anybody disagrees with them that they must be pro-German in their sympathies. Mr. President, there were Senators in this body who voted against war at all, and they were just as patriotic as any Senator who voted for the war. I can recall the former Senator from Missouri, Mr. Stone, now passed to his long resting place. No braver, truer, better American citizen ever lived, and no more patriotic individual ever existed than former Senator Stone, and yet he was not in favor of entering into the war. So of many Senators, those who believed, like the Senator from Nebraska [Mr. HITCHCOCK] that, in the beginning of the war, before we were driven into it, it would have been proper for us not to have sold munitions of war to either party. I do not challenge their Americanism because of these views, because the moment we got into the war I do not know a Senator who was not for its prosecution heart and soul.

Mr. President, I made a statement in the Senate the other day and was criticized for it. I think if the then occupant of the chair had given the point of order a little further consideration he would scarcely have ruled that a statement that we seemed in our earnestness to be more solicitous of the interests of Germany since the war has closed than we were for our allies, who helped to fight that war, was impugning the motive of any Senator.

Mr. President, I am solicitous to-day of the interests of Germany. She is a great nation, a powerful nation, a nation of intellectual genius in many respects, a progressive nation, a brave nation, and once she has repudiated her hellish doctrine that a State can do no wrong except to fail in her grabbing propensities, once she has repudiated the theory and philosophy taught in all of her schools that it is the duty of any State to take and hold whatever she has the power to hold, then I will welcome Germany into the league of nations. I know that she will be there, and in a very short time, if the league of nations is adopted; and when she is there I believe that she will be a force and a power for good, because she has capabilities if only the minds of her people shall be directed along humanitarian as well as intellectual lines.

So, Mr. President, I do not think that I was open to criticism when I stated that I thought that in our debates, on the part of those who are opposed to the treaty, that they have very often, in those debates, evidenced seemingly no interest in the Allies, but some solicitude for Germany. Let me call attention to the words, and if I draw an improper conclusion I may be criticized for my conclusion, but I will submit the words and see whether Senators would draw the same conclusion.

I find here in a speech made a short time ago by a Senator, after discussing the hardships that had been imposed upon Germany, these words:

For this territory—

Referring to the German territory that was separated from her—

so ceded, nobody pays Germany anything, nor is any credit allowed Germany for it on her reparation account, to which I shall shortly refer.

Then, again, after referring to the many requirements for payment of indemnities, he said:

It is admitted that certain of these damage rules violate the principles of international law as hitherto recognized and observed by the family of nations. The reason why we as well as the enemy should discard such benign principles as have been worked out by the nations in the last centuries is not clear.

And again, condemning the treaty, this Senator said:

The more I consider this treaty the more I am convinced that the only safe way for us to deal with it is to decline to be a party to it at all. I think we should renounce in favor of Germany any and all claims for indemnity because of the war and see that she gets credit for what we renounce.

That sounds to me like some solicitude for Germany, and I am willing to stand upon my statement that it is a solicitude.

Again, from the same speech:

It is indeed a hard and cruel peace that this treaty stipulates, and I have no objection to its being so, but see no reason why we, who do not partake in its spoils, should become parties to its harshness and cruelty. I see no reason why we should be parties to imposing upon Germany a treaty whose terms, our negotiators say, she will not be able to meet.

It sounds to me a little bit as though he were solicitous of the financial interests of Germany.

But, Mr. President, if the Senator making that speech had turned to the treaty he would have found two provisions that govern indemnities and reparations all the way through—first, that Germany shall not pay any more than she is able to pay. What is the rule to determine that? Second, that Germany shall pay as high a tax to meet the indemnity to repair the wrong as the other nations have had to pay in order to pre-

vent her committing a greater wrong. Is there any injustice in that against Germany? Can the German people complain that there is any wrong in it? No, Mr. President.

But there is another thing that I do not like in the speech to which I have referred, and that is the statement that America can do anything she sees fit with her dollars; that we have dollars in abundance; and that we should use those dollars to buy commercial friendship, and thereby secure an advantage over our allies. The testimony that was given before the committee in support of our renouncing whatever should come to us in reparation was that we could buy the German good will, their friendship, and thereby secure trade. No thought of our bleeding allies, no thought of the 1,500,000 noble French boys who were killed in France, no thought of the 900,000 sons of Britain and Canada and Australia whose graves bellow the plains of that country.

We should, according to them, use our dollars to buy German trade away from our allies, who can not afford to do likewise. I do not agree with either the philosophy or morality of such a proposition.

Now, Mr. President, returning again to the matter of the good faith of our allies, or lack of good faith, in not publishing their treaty, when was it necessary to publish that treaty? I asked the Senator from Minnesota [Mr. KELLOGG] whether he thought that it would have changed our position in the slightest degree in the matter of conducting this war if that treaty had been laid before us.

He replied, "I do not." Well, then, if the information would not have changed our course in the slightest degree, then how can it be claimed that it was a treacherous act, an act of gross deception? There was nothing that would have changed us in the slightest degree. Therefore, if there was nothing in the secret treaties which would have affected our prosecution of the war, I deny that it was incumbent upon anyone to publish those treaties, because if they published them to us they would also have published them to Germany and to the countries with which they were battling. The moment the war was closed we received everything to which we were entitled.

Now, Mr. President, I wish to say but one word about this matter of the German title not being transferable. Of course, the treaty between China and Germany provided that Germany could not transfer that title, but the treaty did not provide, and could not have provided, that China herself could not transfer it. That is just exactly what China did.

It is said that because China declared war she thereby repudiated the agreement with Germany and vitiated it, and that thereby Japan got no interest. That is a queer philosophy, it seems to me, Mr. President. If A makes a deed of land to B, for no consideration, we will say, and then afterwards deeds the same land to C, and then, after that, A gets into a quarrel with B and says he repudiates the conveyance to B, that it thereby vitiates the deed to C. That is all there is, Mr. President, in this Shantung nontransferable contention. A declaration of war by China against Germany does not affect an agreement made between China and Japan.

So we come down to the question of a reservation. I think that it is necessary to have a reservation. I have prepared two. I think we should hold Japan to her treaty with China, and in her treaty with China she agreed to return Shantung, leasehold and all, that she had received from Germany. I agree that we should hold her to her statement made in Paris that she would return it, which statement is among the minutes of the proceedings. The way, however, to do it, Mr. President, is first to assume that as a nation she will do it.

The Senator from Missouri [Mr. REED] asked, "If she intends to do it, why does she not do it to-day?" Put yourself in the position of Japan. Suppose by a solemn treaty we had agreed to return, whenever the treaty was signed, property which our armies had taken, and some other nation came to you and said, "We do not trust the United States; we have no confidence in them; they are tricky; they are dishonest; therefore, we will take it upon ourselves to make the transfer before we give them an opportunity to perform their agreement." What would the United States do? Do you think she would stand or surrender? She would say, "I have my treaty obligations; I will fulfill them of my own volition; and the whole world can not compel me to do it until I do it under the terms of my agreement; I will not be driven into it." Japan is in exactly the same position, Mr. President. Not only that, but the world would be in a position to bring the power of the entire world—and I am speaking now only of the persuasive power—to compel Japan to make good her treaty agreement. If she made at Paris an agreement that was still more favorable to China, she should keep that agreement. I think, Mr. President, that that is the only proper way to proceed in the premises. It is the fair way between nation and

nation; and it being the fair way, and so long as Japan is a nation and is recognized as such, then, in Heaven's name, let us treat her as such.

Mr. SMITH of Georgia. Mr. President, I shall vote against the pending amendment, although I regret that our representatives at Paris consented to the disposition made of Shantung. I only wish to say that in voting against this amendment I shall do so because I consider a wiser way to handle the subject will be either by reservation or independent resolution clearly to define the attitude of the Senate with regard to it. When such a reservation or independent resolution shall be before the Senate, we shall have an opportunity of handling the question in a satisfactory manner, and I hope such a reservation or independent resolution may be adopted in language which I can support.

Mr. SMOOT. Mr. President, I have taken no time of the Senate to discuss the pending peace treaty with Germany, nor do I expect to do so. I am ready to vote upon any reservation, any amendment, or upon the treaty itself, at any time without further discussion.

The pending amendment is the most difficult question affecting the treaty for me to decide. I want my action to show my unalterable opposition to the action taken at the Paris conference in giving Shantung to Japan. In the Shantung provision we are asked to defend injustice as well as economic slavery. That I can not do.

If the pending amendment were the only way in which the United States could refrain from indorsing the Shantung infamy, I should vote for it. A reservation can be made to reach the same end as far as the United States is concerned; and I intend to vote for a reservation, in substance, as follows:

The United States refrains from entering into any agreement on its part in reference to the matters contained in articles 156, 157, and 158, and reserves full liberty of action in respect to any controversy which may arise in relation thereto.

I think such a reservation covers the case just as thoroughly as an amendment would cover it. I shall vote against the amendment. Under no conditions would I vote for the treaty in its present form. Unless reservations are made to it, I shall vote against it.

Mr. SHERMAN. Mr. President, I do not put these amendments or our relations with the associated nations in this treaty on any moral ground. On the 17th day of July, 1919, I stated the grounds on which I objected to articles 156, 157, and 158 of the treaty. The first ground was the treaty of 1858 with China, which recites:

There shall be, as there have always been, peace and friendship between the United States of America and the Ta Tsing Empire and between their people, respectively. They shall not insult or oppress each other for any trifling cause so as to produce an estrangement between them, and if any other nation should act unjustly or oppressively the United States will exert their good offices, on being informed of the case, to bring about an amicable arrangement of the question, thus showing their friendly feeling.

That treaty is binding in good faith upon both nations at this time. If we are to show our friendly feelings toward China under that obligation it binds us to protest in every proper way against articles 156, 157, and 158. This may or may not according to the mental complexion be called a moral ground. I only refer to it as a treaty obligation. If we are to show a friendly disposition toward that power it is our duty now to begin to protest against what is admitted to be an injustice.

I have another reason, Mr. President, and it is not a moral reason; it is one purely prudential in character. I stated it on July 17 last. I had then the same motive and the same purposes in view that I have now. At that time I said:

"The United States Government must look well to its own defense and preservation. I regret not to be able to accept the splendid dreams generated by the league of nations. I believe our safety is not mere sentiment; it will rest in the strong arm and disciplined military forces of our people. We have denied Japan the right of immigration for her subjects. It has been repeatedly alluded to during the peace conference of Paris by representatives of that nation. The equality constantly proclaimed in the league logically directs Japan's thoughts to that denial. Its refusal has sunk deep into their sensibilities. It is a wound to their pride. We are vulnerable in the Philippines. Our great friend lies beyond in the people of the Chinese Republic. In our day of peril it must be remembered that the interests of Great Britain and Japan in the Orient are identical."

Mr. President, the British East Indies, together with protectorates lately assumed, constitute Great Britain's interest on the mainland of Asia. Some 300,000,000 Asiatic people live under her dominion. Her possessions give her a strong hold on the Asiatic continent, and are vitally important to her world-wide commerce. She has recently entered into arrangements with Afghanistan; there is, it is understood—and it is but ill concealed—an arrangement that amounts to a protectorate

over the newly created State of Hejaz. In addition to that, the protectorate over Egypt, referred to by the Senator from Oklahoma [Mr. OWEN] on yesterday, is an accomplished fact. England will no more relinquish her hold on Egypt than Japan will relinquish her hold on Korea or Manchuria. These, therefore, constitute the reasons why England and Japan have an identical interest in Asia. They will not be found hostile to each other in the years to come. We must look out for ourselves.

I have no desire to hold the Philippines, except as a war result. I never would have voted, if I had been in this body at the time, to acquire the Philippine Islands; and at the first favorable opportunity I would either give them their independence or I would transfer, with their consent, to some Asiatic power the entire group of islands and relinquish our interest in them forever. I regard them as a governmental liability, that there is in it no profit to us, no honor, and nothing but a source of continual expense.

Therefore, in the day when trouble occurs the United States will not find in those two powers a friendly alliance. The trouble is more likely to come, as intimated on the floor, from Japan; and in that time our great friend will be China, if we treat her justly and in keeping with the treaty of 1858. Therefore the wise course for us to follow, as well as the duty we owe to China as an equally faithful ally if not more useful than Japan, is to keep faith with her, so that in the future she may be our friend.

Our greatest friend may then be the Chinese people, whom to-day we are asked to humiliate and dismember. Let us remember, not in selfish purpose but upon the immutable principles of justice to a great people, that we ought to defeat these articles 156, 157, and 158 in this treaty.

I stated that last summer. Nothing has occurred to change the reasons that were urged at that time. I find myself of the same opinion still. I believe every Senator here will have the same opinion after all has been said on the floor of this Chamber. It is not with any purpose of changing some Senator's opinion, I believe, that anything is said. It is more to justify the vote that the individual gives upon a roll call on this measure.

Mr. President, I heard yesterday, part of the time—I did not hear all that was said but I heard it argued yesterday at some length and to-day—that because we did not protest in 1898 we are estopped now. Various Senators this morning have stated that we can not now be heard because we made no complaint in 1898, when this Province was taken by force of arms from China. It is argued, therefore, that now, when we are called on to ratify this treaty, we can not be heard to criticize it, but that we must accept the treaty as it is presented to us.

In 1898 we were not engaged in going about over the world meddling everywhere. We were then occupied in attending exclusively to our own business. We confined our interposition to affairs in the Western Hemisphere. If other nations undertook to acquire territory or to interfere with existing forms of government in the New World, we protested, and protested in apt season, and effectively. We protested at the close of the Civil War, when France undertook to place an Austrian prince over the Mexican people. We sent our forces to the banks of the Rio Grande. We protested against the invasion of the Monroe doctrine. Again in Cleveland's administration, when Richard Olney was Secretary of State, he gave to the world a proclamation in substance to the effect that we administer law on the Western Hemisphere, and what he proclaimed through the Executive of this Republic was the fiat to be observed by the nations of the Old World. That was law then under the Monroe doctrine, and it is law now. We have confined ourselves to the New World in years past; and only in 1917, when, following the declaration of war, we engaged with the associated nations against a common enemy, did we go beyond our own borders.

We, therefore, have stayed on this side of the Atlantic and on the same side of the Pacific, our own shores. We have not sought to interfere in the affairs of the Old World, because of this established policy which we announced nearly a hundred years ago, the Monroe doctrine, that is sought to be preserved by divers amendments, and by a revision, even, of the original document sent to us last February for our approval.

Having confined ourselves to the New World, we did not interfere with the affairs of the Old. If Germany took portions of the Chinese territory by force, we did not protest. It was not a part of our policy. When we went with other powers to interior China to protect our legation and our citizens, we then protested against the dismemberment of China by the European powers. There is found the first protest in the form of Secretary Hay's "open door." That was in 1900, some 18 or 19 years before this document was presented to us. So the only thing that we can complain about, it is said now, has been in the nature of our delay, such as to constitute, I suppose, what lawyers would

call an equitable estoppel. That does not operate upon nations nor upon governments. We can not be held here to have foreclosed our right to protest at this time.

Mr. President, there is another thing outside of mere lapse of time. Let this be called a 99-year lease—and it is the most transparent flattery to refer to it in that way. Let it be called a lease. The acquisition of leasehold interests in property, real estate especially, by sovereign powers within the borders of another sovereign power is not attended with the same conditions that attend the acquisition of private property by private owners. It is not regarded as a matter of common right that a sovereign power may come inside the territory of another sovereign power and acquire real estate, either the fee-simple title or long leaseholds, unless the power within whose borders the territory is acquired shall be consulted and shall acquiesce in it.

I can go as an alien, if the law of any foreign country permits it, and purchase any quantity of real estate in any foreign country. I can hold it. It is not a matter for international negotiation or for diplomacy to recognize my right so to hold it, if the domestic laws governing the acquisition of real estate in that country permits me to do so. But if my Government goes into another country and acquires there either leaseholds or the fee-simple title to real estate, it can be done only upon negotiation with the country wherein that real estate is found. It is an invasion by a sovereign power, withdrawing it ordinarily from commerce in it. The grantee of the real estate or the lessee is not subject to the laws of nature; the Government is perpetual in its life; and for that, as well as the entry upon sovereignty, no such rights can be acquired except by the consent of the country within which that territory lies.

Germany acquired a 99-year leasehold in the borders of the Chinese Empire. It was under a threat, it was by military force, that the term was created. It was not a voluntary act, and it is generally conceded in discussing the question that it was not a voluntary act on the part of China in granting the leasehold. It being an involuntary act, Mr. President, whenever the power that applied the force to China withdrew, either voluntarily or by force of arms, then the leasehold taken from China by force or threats returned by force of Germany's retirement. The reversionary interest of the lease, if gentlemen wish to be technical about it, as a matter of right, returned to China instantly upon the withdrawal of Germany. Whenever Germany entered into an arrangement by which China lost her interest and Japan acquired it upon the withdrawal of Germany, it was in contravention of the common right of the Chinese Republic.

We are asked to ratify it. There is this difference between voting upon this treaty and interfering in 1898 with the affairs on the mainland of Asia. Then we were living under the Monroe doctrine. We were taking care of our own affairs. We were declining to go abroad and mingle in the affairs of all the powers of the earth. We were justified then in letting other people and other nations attend to their affairs. Now, the treaty is brought into this Chamber and we are asked affirmatively to ratify it. We are asked to place the seal of our approval on these articles referring to the Shantung territory. Affirmatively we are asked to ratify what before, 20 years ago, was not of our concern. There is a difference between active approval of a theft, the burglary of a friendly power, and a silent abstinence from approving or disapproving by attending to our own business, pursuant to our policy of nearly a hundred years.

Mr. President, this territory in the Province of Shantung belongs to China. At best, there could only be a delayed reversionary interest. Why not write the guaranty in the treaty? If all that is said in this treaty is right, if it is ratified, it would leave a reversionary interest in China, and it ought to be provided in this treaty that this unexpired lease shall return to the sovereign that involuntarily gave it in 1898.

We are asked, however, to approve it, and put ourselves in the attitude not only of approving it, but of turning around on the heels of article 10 of the league and binding ourselves to defend it by entering into a moral obligation. If Senators are at all sensitive about moral obligations, then it must be conceded that under article 10 of the league this itself is a moral obligation, and is so interpreted—interpreted by all who support it, interpreted by the Executive, interpreted by the authorities in Europe—that it imposes moral obligations; and if that be so, then we must either break our moral obligation or we must come to the rescue in case China attempts to reassert her claims over this territory and retake it from the power that now seeks to seize it.

Mr. President, it is not my intention to occupy much of the time of the Senate, but I simply wish to protest against the assumption that because in 1898 we did not protest, did not make objections to arrangements then entered into involun-

tarly by China to ward off threatened military invasion and the devastation of her territory, that we are now bound. That is a strange morality. It is a strange interpretation.

I have listened to interpretations all the way across the continent and in this Chamber. There are enough interpretations of the league of nations and of this treaty to make the Arabian Nights, if put alongside of it, look like a revised edition of Greenleaf on the Law of Evidence. I have heard interpretation after interpretation that refines away all of its powers. I am told that there is no real power, that it is only a question of recommendation; that they can recommend, they can advise, they can tell us what they wish to be done, but, after all, it being a moral obligation, whether we observe it or not is for us to say.

Concede that that be true, it does not seem that a moral obligation is ineffective in producing results when our Navy goes into Italian waters, when two regiments are to be ordered to Upper Silesia, when the Secretary of War begins to estimate that it will take 150,000 of our troops to administer the Armenian mandate, when ill-concealed rumors come through the press and are published broadcast and when it is generally understood in this Chamber that the Executive already has bound us to an Armenian mandate. The supreme council seems to be issuing effective orders.

A circular has gone out very recently admonishing us that Armenia is on the brink of destruction; that we must interfere, and that actively, or she will be soon destroyed by the Turk and her territory as well as her people be devastated, and there will be no use then for any nation to intervene, because annihilation will have been fully accomplished.

Following on this a great number of doctors of divinity in various parts of the country have been quite active in having resolutions passed by their congregations. A great many religious organizations, headed by those same doctors of divinity, have besieged Members of Congress immediately to ratify the treaty and save Armenia from impending butchery. I wish to say to those preachers, whatever creed they have, that they are awaking late in the day to the great moral movement to preserve the Armenian people.

Mr. President, I again call attention to what I said here some months ago, that the Turk exists to-day as a separate Government in Asia, and is found in Europe, not because of the United States, not because of Armenia, not because of the Greek Catholics, the Russians, or others of that church residing in Turkish territory.

Armenia and the Turk are a pressing problem to-day, because England and France in the Crimean War, from 1850 to 1854, kept the Turk in Europe. The Russian Government would have destroyed the Turk's Government, would have dismembered his territory, would have impoverished, if not overthrown and destroyed him, for slaughtering Christians; but England, France, and the then kingdom of Sardinia all joined with the Turkish Government to defend against Russia, and his Government exists at this day.

It was like the partition of Poland. It suited the purposes of Great Britain years ago to ignore the partition of Poland. When Frederick was on the eve of destruction, more than 150 years ago, when his enemies had crowded him into a corner of Prussia, when his soldiers were without provisions and without munitions of war, when his country was bankrupt, England intervened to save him from destruction. The partition of Poland followed in due course, and the three great powers that divided the territory, England taking none, all had either the passive or the active acquiescence of England in the partition.

I am not hostile to Great Britain, but I believe it well enough to remember some historical truths about that mighty Empire. She takes care of herself. She feared that Russia would acquire some of the Turkish territory in Europe and reach across for British territory in Asia. She therefore joined with France, who had some of the same fear, under the last Napoleon, and Russia was crowded back into her own country. The Crimean War ended in the preservation of the Turk. Therefore, Mr. President, I believe in letting France and England administer Armenian affairs and defend them against the Turkish power, because they are responsible for his presence in both Europe and Asia.

I respectfully remind the doctors of divinity who have bestirred themselves recently to an enormous degree to themselves be informed about who is morally responsible for the outrages that have occurred for the last 25 years against that unhappy people. Let those Governments administer the mandate.

The crusades started in England, and Europe from the time that Peter the Hermit and Walter the Penniless led 100,000 de-

luded people out of Europe into Asia has seen no more improbable scheme than the league of nations and other portions of this treaty. In the years past we are not the only ones who have made mistakes. To-day let the people in Europe who are responsible for those outrages take the burden; let them keep within bounds the Turkish power that they created and preserved.

The Turkish occupation is a tremendous object lesson of how a country's debts become its strength. Had it not been for the differences in the division of territory, had it not been for the debts of the Turkish Government, she would have perished from the earth long ago.

Talk to me about moral obligations! Mr. President, England has no morality in her Government. She never had, from the time that she blew from the mouths of her cannon the Sepoys in the rebellion in British East India, down to the day that she kept our people in prison hulks until starved and disease ridden they died. She has never had either morals or humanity in dealing with her enemies. The Hun is unspeakable, but still the Hun is not far behind our English ancestors when it concerns measures of effective warfare. I do not complain about them, but I object to being in the power of a country that always so zealously takes care of its own people even at our expense.

We have had some instructive examples of our own. I commend England for taking care of her own people, but I prefer to take care of Americans by the American Government, rather than to throw ourselves for mercy into the hands of the British Empire.

Mr. President, both England and France consented in 1917 to the acquisition of the Shantung territory by Japan. I shall occupy but a very little time on the matter. It is not my purpose to go into it at length, but only to leave in the Record these highly moral documents.

Many Senators specialize on international morality. I do not care, for my part, to discuss it. There is not a civilized nation in the world whose history has been read or recorded truthfully that has not at times outraged every principle of humanity and morality known to the casuist or the doctor of divinity.

I now read what is a distinct contribution to international morals, dated February 16, 1917, and I may say, parenthetically, that it was as well understood in the cloakrooms of the two sides of this Chamber and in the public press of this country as well as of Europe, that this document existed before the peace conference met, as any other matter of current news.

The British Embassy at Tokyo, on February 16, 1917, addressed to Viscount Motono, His Imperial Japanese Majesty's minister for foreign affairs, a note which, in substance, says that the Shantung territory, from which Japan has recently expelled Germany, in 1914, shall upon the making of the treaty of peace be vested in Japan, and that all the islands north of the Equator shall go to Japan, and those south of the Equator to the British Empire.

A like note was received from the Japanese Government, deeply appreciative of this friendly spirit. It was addressed to the British ambassador, Mr. Greene, and says that it takes pleasure in stating that the Japanese Government on its part is fully prepared to support in the same spirit the claims which may be put forward at the peace conference by His Majesty's Britannic Government in regard to the German possessions and the islands south of the Equator, and assuring the possession of Shantung to Japan.

Then, not to be outdone in this chapter of international morality, dividing up the territory of a friendly power that had furnished at least 300,000 men behind the lines in a non-military service, the French Government sent to the Japanese ambassador a similar letter or note, and received a similar reply. In substance, it amounts to a treaty, an understanding, by which Japan is confirmed in the possession of this territory by two of the allied powers. Russia would have consented to it, but she was not an authority consulted in the making of the treaty. Temporarily she has troubles of her own, and is not to be considered. But these are the two highly moral documents on which we are sought to confirm articles 156, 157, and 158 of this treaty.

If this were upon anything but a supremely sober subject, it would be an idle jest. How many of Japan's soldiers are lying in their graves to-day because of the bloody war with Germany? Few. There were not 300 soldiers killed, wounded, or missing from the entire Imperial Japanese Army in their struggle to eject Germany from Shantung. There is nothing in it that would justify any claim of conquest.

China, it is said, consented, consented under threats, consented when they made the arrangement that was ratified in 1917 by the powers that concealed their negotiations from our

country. The Executive said he did not know of these secret treaties. We know of them now. No ignorance can be pleaded when we are asked to ratify the pending treaty on a roll call. Because of that we are asked affirmatively here to set our approval upon these sections that are under criticism.

Mr. President, I do not care to argue this subject at length. I will vote for these amendments. I think I will vote for any amendments that come along. I will be quite candid about it. I do not care whether they are consistent or inconsistent. I have been told that consistency is the vice of small minds, so I can afford to be liberal. I can afford to amplify my knowledge and my position. I will vote for any pertinent amendment that comes along. I hope every one of them will be adopted. There could not be confusion worse confounded if every amendment offered were voted into the treaty. Nobody knows what it is. There are more interpretations than there are expounders. It is an international hodgepodge made up of jealousies, of alliances, of leagues, of vague notions, of war and rumors of war, and threatened world upheavals everywhere. If anybody will write an amendment that offers a chance to clarify it, I will vote for it, and I earnestly hope it will be adopted; and after they are all in the treaty can be no worse than it was when it came to us from Paris. It can not be made worse. So vote them in; and then, after every one of the amendments is voted into the treaty and the league, I will vote to reject it all. I will vote for something along the line of the suggestion offered by the junior Senator from Pennsylvania [Mr. Knox]. I will vote for an international code that will make a treaty between nations that will be a treaty of principle, and not a government of men; a treaty that will unite nations threatened by a common peril to act together to remove it.

It could not be any worse, Mr. President. It might be improved by mixing it up with something American. It could not be any more immoral if we would add a few local crimes of our own. There is already in it enough to stamp it as the imperial crowning infamy of the age.

Secret treaty? Yes. Japan's is a secret treaty, and yet it is in force. The treaty of the Adriatic border a secret treaty? Yes. It is not in effect. Why? Because the representatives at Paris—our own at least—said secrecy was under the ban. If that is so, then why is the Japanese secret treaty, that was equally concealed from the nations, given full force and effect? We may just as well talk plainly about it. I do not suppose this generation will live to see it, but the next war of any consequence that we have with any power will be with Japan. The motive is present. The ambition has been hers for years. She is a monarchy—yea, more than a monarchy, an autocracy. All that the Kaiser was to Europe the Mikado is to the mainland of Asia. We must not forget that in that time of supreme peril our friend, if we keep faith, will be beyond the Philippine Islands and beyond the Island Empire. It will be on the mainland of Asia, with 300,000,000 Chinese.

Whenever the Caucasian drillmaster goes into the interior of China, when he takes European and American tactics to train men for military strength and service; when China wakes from her dream and ceases to be a race of pacifists; when she understands that her territory is being absorbed in spite of the note of John Hay in 1900; when she remembers all that has been taken along her seacoast, Province after Province seized, port after port taken; when she sees the flag of alien powers floating all the way nearly from the Sea of Kamchatka down to her southernmost border; when she sees her territory taken by nation after nation, at last she will waken from her dream; she will understand that this world is no place for a pacifist; she will understand that the millennium has not come with the league of nations; she will know that the millennium is as far away as it was a thousand years ago; that there are as many devils yet to be chained as there were in the time when the crusades were begun. She will know, too, that the only way to preserve her national integrity and keep her territory without dismemberment by aliens is to be able to defend it against those who despoil her.

There is no pacifist nation on earth that has survived. Where are they to-day? In the 3,000 years of history not one of the pacifistic nations has remained. In that 3,000 years there have been 60 years only of universal peace. During the other 2,940 years it has been the military nations that have possessed and divided the earth; that have taken its wealth; that have dominated its people; that have created imperial dominion around the seas.

England for a thousand years has been a separate Government proclaiming her independence and ready to fight the world. I respect her power, her diplomacy, her warfare, and her genius for government. She has faced more than once a world in

arms. She fought the Napoleonic wars. She has been repeatedly threatened with destruction, but she is essentially a warlike nation. She survived, and the British race to-day exercises wide dominion, the greatest territorial power the world ever saw, exceeding that of ancient Rome, exceeding in her genius for government that of any other known country in the world. She has been the lawgiver of nations. She has administered justice to most of her nations, and I believe in time will to all of her colonial nations, even including Ireland. There is an abiding sense of justice in an Englishman if you leave him alone. You can not extort justice from him, but if you leave him alone you will get it at last. It may be somewhat delayed, but he will if you give him time enough to do so. The Irishman is a little impatient. I do not blame him. It has been little less than a thousand years that he has been waiting.

Mr. PHELAN. Mr. President—

The PRESIDING OFFICER (Mr. ROBINSON in the chair). Does the Senator from Illinois yield to the Senator from California?

Mr. SHERMAN. Certainly.

Mr. PHELAN. The Senator from Illinois has stated that the English finally accorded justice if given their own time. In what time will England grant it to Ireland if given their own way? Ireland has waited for 700 years.

Mr. SHERMAN. It will come about the time the millennium comes, when Satan is chained and cast in the bottomless pit. About that time England will make up her mind that as long as there will be justice all over the world anyhow, she may just as well be in the fashion. I think that gives the Senator as definite information as can be afforded at this time.

Because of that, referring back to England and her possessions, we are asked to go in with her and ratify articles 156, 157, and 158 of the treaty. We are thereby making ourselves a part and parcel of an arrangement that contributes to the glory and the strength of Great Britain and Japan.

I repeat to the American public, that in the day of trouble England will not lift her hand to help us in a struggle with Japan. England's commercial jealousy exceeds even her sense of justice.

Gladstone was mentioned by some friend of the treaty to-day as the Grand Old Man of England. Before he died Gladstone made the admission—and it was only one of many mistakes he might have admitted, but the only one he ever did admit—that when he undertook, by his influence with the English Government and the reigning authorities of the British Empire—and that included even colonial possessions wherever the Government could influence them—to dismember this Republic, that it was a mistake. Everybody knew why the Government did so. It was to destroy a great commercial rival. I know how England has claimed credit in history for making the first free soil there was in the world, so that from the instant the slave from foreign countries touched her soil his chains burst from around him. I have heard all that oratory or read it, in the English Parliament and on English platforms, and the most striking of the oratory was Irish oratory and not British. I have heard all that, but the fact remains that in our great struggle to maintain this Government undivided, England, under the lead of William Ewart Gladstone, used all its vast powers to divide and destroy this Republic and to promote a Confederacy based upon slavery. This is the historical record of England's Government in our day of trouble.

Go back to England; examine the political abstracts of title of statesmen there who are now endeavoring to bring us into this treaty and league. Who are they? Go back through Whig and Tory, liberal and conservative and radical of English politics, and you will find that the successors in the English Government of the same men who prayed that this Republic might be dismembered and destroyed to-day are the loudest proponents of the league in England and in all Europe. We are the catspaw of the Old World. No wonder a distinguished English lord in a club in London said that the United States was the "Fat Boy" of the world. We are also the "easy mark" of the world, if you will allow me to use such an expression in this Chamber. We have been worked by everybody.

To-day in not one foot of Italian territory have we a friend. They know that the treaty of 1915 was broken under the 14 points, for it was a secret treaty. Of course, Senators who do not want now to hear about secret treaties or the 14 points make no argument on the subject. They say the 14 points are obsolete. They are not obsolete; they are dead. We have not a friend in all Italy. It is our own fault. It is because for France and England we broke their treaty pledges of 1915. They signed the treaty; they pledged themselves to give to Italy the territory from the Trentino down along the Adriatic

border to the southernmost part of Dalmatia. We were reserved as a sacrifice to court the unpopularity incident to breaking the treaty and denying to Italy the result of her entry into the war.

A half million of Italy's soldiers are dead; 1,500,000 of them are wounded for life; five million of them went into the field; she has a debt of \$13,000,000,000 in gold; but when she sat at the peace table at Paris she could not get one acre of the soil that had been promised her. She had committed no robbery; it was not proposed to take some other country's territory and give it to her, but to give to Italy territory which was Italian in blood and language and spirit, territory which had belonged to her people and to their ancestors and which had been taken from Italy in the wars of 75 or 100 years previous, at the time of the first Napoleon in 1797, when it was given by Napoleon to Austria-Hungary as a pawn or pledge when he was setting up his relatives and friends on the thrones of Europe. The spoliation of Italy began then, and every acre of land proposed to be returned to Italy by the treaty of 1915 was Italian territory, inhabited by Italian populations, Italian in language, with Italian traditions and Italian in very soul; yet when, upon the dismemberment of Hungary this manifest injustice was sought to be remedied the plea was invoked that this was a secret treaty and could not be enforced.

On the heels of that, in this infamous treaty which we are asked to ratify, are the provisions ceding Shantung to Japan. What kind of territory is Shantung? Chinese, with a population of 38,000,000 Chinamen. What language is spoken there? The Chinese tongue. What literature, what traditions, what laws? All Chinese. It is as if we were a pacifist nation, without the ability to resist, and the territory in which Mount Vernon is located, where the dust of the Father of his Country sleeps, were to be taken from us by treaties made between other countries and turned over to Germany or to some other alien hand. We are asked to ratify it—the treaty containing the Shantung provisions—and if a majority shall ratify it in that form we shall have done so in the face of a secret treaty condemned in the case of Italy and approved in the case of Shantung. I fail to see, for my part, the justice or the necessity of such conduct.

Mr. President, I do not care to say any more. I doubt very much whether I will ever again say a word on this or any kindred subject. It is very much to my dislike that I have occupied this time, and unless there is provocation of an extreme character I shall take no more time on this subject. I wish to vote on every matter connected with the league and treaty. Nevertheless, as contracts go when conditions are to be inserted, if there be such provocation as has been presented here in the continual dwelling upon moral grounds, I shall be heard again.

Mr. JONES of Washington. Mr. President, I have but a word to add to what I said a few days ago regarding this amendment. How I ought to vote upon it has given me more trouble than all the other amendments suggested by the committee. Some of my friends in the State seem to think it a very easy matter to decide just what this Nation should do and what it should not do in any given case. It may be easy for them when they have no particular responsibility to discharge. I know that I am as anxious as they are to do the right thing by the United States. Its interests and honor are my only concern.

As an abstract proposition I agree fully with the contention of the able Senator from Tennessee [Mr. SHIELDS], who strongly urges that the United States should no more meddle in the affairs of Asia than it should in the disputes of Europe.

As an abstract proposition the proposal of the learned Senator from Wisconsin [Mr. LEXROOF] that we should not amend this treaty, but should adopt a reservation in effect absolving ourselves from all responsibility for this outrage, which everyone condemns unsparingly, also meets with my full approval. If China alone was involved in this question, I would gladly vote with these Senators. It would be no direct concern of ours as to what should happen to China's territory, and we could well leave China to look out for herself. To my mind, this is not the case, however. China is not the only nation affected or concerned. We are involved as a nation and as a people. China was our friend when we entered this war; China became our associate in the war upon our earnest solicitation, if not with our most friendly assurances. If there is such a thing as a moral obligation between nations, we are morally bound to do what we can to prevent the spoliation and robbery of China by any of our associates. It seems to me that the very honor of the United States is involved, and we should do all we can to have this crime reconsidered and undone. I may be wrong, but this is the way it appears to me; and on this ground

I shall vote for this amendment. If it is defeated, I shall then vote for the strongest possible reservation declaring our abhorrence of this unjustifiable outrage.

Mr. SHIELDS. Mr. President, some days ago I read into the Record from the Columbia Herald, Columbia, Tenn., a splendid editorial upon the league of nations and, incidentally, the responsibilities of United States Senators in discharging their constitutional duty of approval or disapproval of the German treaty now under consideration, and opposing our Government becoming involved in the jealousies, political intrigues, and wars of foreign countries.

My attention has been called to the utterance of George F. Milton, the editor of the Chattanooga News, a Democratic paper published in that city, along the same lines, which I likewise commend.

I read from the pamphlet containing the speech, evidently published for general circulation:

Our people are being stirred into a hysteria very similar to that in Europe previous to the beginning of this war.

Mine was the first pen in Tennessee to urge the President's nomination, and my vote as delegate at Baltimore was cast for him on every ballot, but this is a time for plain speaking. I do not think that it is in the best interests of our country that everyone take their cue from the President and meekly adjust their views to such influence. In a democracy free, frank, and full discussion is contemplated. It was for that reason that the freedom of the press and speech were established in the Constitution. It was for that reason that Mr. Jefferson secured the repeal of the alien and sedition laws in 1801. However able an Executive, he needs an intelligent public opinion to assist him in rendering the best service to the Nation. It will be a calamity to us if we cease to do that independent thinking which has been so useful in the past.

The first consequence of our entrance into this war would inevitably be that we would be drawn into one of the European alliances. Already voices are openly advocating it. In this we would again violate the precepts of Jefferson, who said: "I am not for linking ourselves by new treaties with the quarrels of Europe; entering the field of slaughter to preserve the balance, or joining in the confederacy of kings to war against the principles of liberty." Washington, in his Farewell Address, expressed himself similarly against "entangling alliances." Some paragraphs of his message might have been written for to-day. He said:

"Antipathy in one nation against another disposes each more readily to offer insult and injury, to lay hold of slight causes of umbrage, and to be haughty and intractable when accidental or trifling occasions of dispute occur. Hence frequent collisions, obstinate, envenomed, and bloody contests.

"The nation, prompted by ill will and resentment, sometimes impels to war the government, contrary to the best calculations of policy. The government sometimes participates in the national propensity and adopts through passion what reason would reject; at other times it makes the animosity of the nation subservient to projects of hostility, instigated by pride, ambition, and other sinister and pernicious motives. The peace often, sometimes perhaps the liberty of nations, has been the victim.

"The great rule of conduct for us in regard to foreign nations is, in extending our commercial relations, to have with them as little political connection as possible.

"Europe has a set of primary interests which to us have none, or a very remote relation. Hence, she must be engaged in frequent controversies, the causes of which are essentially foreign to our concerns. Hence, therefore it must be unwise in us to implicate ourselves by artificial ties in the ordinary vicissitudes of her politics or the ordinary combinations and collisions of her friendships or enmities."

If we join England in the war of the Revolution might as well not have been fought. Of course, to join the central powers would not only bring on a naval war with England, but trouble with Japan.

Mr. President, that speech was delivered in the early part of 1916 in various parts of Tennessee. While I did not concur with Mr. Milton in his pacific utterances, but believed that we should enter the war, and voted for it, yet, in his other positions, with regard to independence of thought and the duty of this country to abstain from foreign entanglements, I fully agree with him. I have not had an opportunity to read the Chattanooga News of late, and do not know what Mr. Milton is saying along these lines at this time; but I hope that he is maintaining the manly independence and American spirit shown in this extract from his speech, and that he remains fixed and steadfast in the faith of the fathers, so well expressed by him.

Mr. BRANDEGEE. Mr. President, I received this morning the following telegram, which I wish to put in the Record, together with my reply. There being no morning hour, I take this opportunity of doing so.

The telegram reads:

[Telegram.]

NORWICH, CONN., October 15, 1919.

Senator FRANK BRANDEGEE,

Care United States Senate, Washington, D. C.:

By vote of the Connecticut Baptist convention, we are sending you the following resolution, with the request that it be read before the Senate and printed in the CONGRESSIONAL RECORD:

"We, the delegates from the Baptist Churches of Connecticut, in annual convention assembled, representing a constituency of 27,000, do hereby petition and urge the early ratification of the

treaty of peace with Germany, including the plan for the league of nations, without amendments or reservations such as would send it back to the peace conference for reconsideration."

JOHN N. LACKEY, *President*,
A. B. COATS, *Secretary*.

To which I replied:

OCTOBER 16, 1919.

MR. JOHN LACKEY,
President Connecticut Baptist Convention,
Norwich, Conn.

MY DEAR SIR: Your telegram of the 15th instant, reciting the vote of the Connecticut Baptist convention in relation to the ratification of the treaty of peace, including the plan for the league of nations, is at hand. I shall be glad to comply with your request that the same should be read before the Senate and printed in the CONGRESSIONAL RECORD. I shall take pleasure in doing this to-day. I regret that I am unable to comply with the request contained in the resolution adopted by your convention. There is no possibility whatever that the treaty containing the scheme for the league of nations will be ratified by the Senate except with radical reservations and possibly amendments. I am utterly opposed to the so-called covenant as at present drawn. It is simply an alliance to control the world by force, and I do not believe that, if adopted, it will result in anything but trouble. I am,

Yours, very truly,

FRANK B. BRANDEGEE.

MR. JOHNSON of California. Mr. President, there is one phase of this discussion which I think has not been touched upon, and which I think has something of an important bearing upon the credibility which may attach to the so-called secret treaties. It is because I want to call this particular aspect of the matter to the attention of the Senate that I ask your indulgence now for a very brief period.

Historically apparently we are all agreed concerning the Shantung infamy. There seems to be, with possibly one exception, a consensus of opinion in the Senate that the decision made at the Paris conference by which the German rights in Shantung were awarded to Japan was an abominable and a detestable decision, to use the adjectives that have been used heretofore, and that it did a wrong which we ought not in any degree to countenance. Indeed, all of those whom I have heard speak upon the subject seem to have a common purpose in denunciation of the wrong; but the question presented to some seems to be whether there should be an endeavor to prevent that wrong so far as lies in our power.

It is insisted, Mr. President, in one instance, that the decision made by the President of the United States was a decision rendered essential by the peculiar circumstances of the case and a decision which expediency dictated in the Paris peace conference. Indeed, in the White House conference between the Foreign Relations Committee and the President, my recollection is that the President stated that he had been advised before the decision was made in this important matter that Japan was likely to withdraw from the peace conference, or was likely not to become a party to the so-called league of nations, unless the decision was rendered in accordance with Japan's wishes.

We may pass that phase of the matter, Mr. President, justifying, as we may look at it from the one hand, the decision rendered by the President of the United States because of the great advantage he thought might be reaped by the world from that decision, or disagreeing with that decision because of the wrong done an immemorial friend. The matter now comes to us as a coordinate branch of the Government, dealing with subjects of this sort; and upon us now rests the responsibility for a decision which has been rendered by the Paris peace conference, and which, primarily, when submitted to the President, has been determined by him.

I want to impress upon the Senate, if I may, that now this matter comes to us as a Senate and as individuals, for us in the great power that is ours in relation to treaties, for us in the great duty and obligation resting upon us in dealing with world affairs, to do as we now see the right; and if this question is, as I insist, a moral question, if it appeals to the ethics of a man sitting here circumscribed by his oath and desiring to render a service to his country—if it be, I say, a moral question, there is a distinct right and a distinct wrong to that moral question; and upon every man in this body rests the duty and the obligation to decide that moral question as he sees the right or as he sees the wrong.

Therefore, Mr. President, if it is conceded in this body that a wrong decision has been made, if it is admitted here that this decision rendered by the Paris peace conference and the Presi-

dent of the United States is abominable and detestable, is immoral, and is infamous, I am unable to understand how it is possible, if those things be true, and this moral issue is presented to us, for any man to avoid the issue, and to avoid it either in one fashion or the other, either by saying that he will concede the wrong and will protest against it, or by saying that he will admit the wrong and vote for it.

I asperse no man's motives. I recognize that in matters of this sort all of us may view various things differently. I recognize every man's right to his opinion. I recognize, above all that, the right of every man to do just as his conscience shall dictate. I am not questioning, in what little I say, any man's motives, any man's courage, or any man's activities in this regard or in any other regard in respect to this treaty. I state only my own position.

There is a wrong. It is admitted. There is a crime. It is conceded. There is an infamy. No man denies it. If this be so, my signature shall not be attached to that wrong, that crime, that infamy, either directly or indirectly.

So it is, Mr. President, that I am for the amendment presented by the Foreign Relations Committee, that not only points the wrong but indulges its expression of the right; for there is a twofold aspect to this amendment of the committee. The twofold aspect is not only saying that a wrong has been done but asserting as well, by the insertion of China in the particular provision, that this wrong should, if possible, be remedied, and that the right of the situation is that China should be awarded the Province of Shantung.

Now, it is not a question of whether we can yield Shantung back to China. I recognize that we can not do it. I recognize that any act of ours here will not accomplish the desired purpose. I grant all that; but that is no reason why we should not indicate our position, and if our position is that Japan has done a wrong we will not, in the first place, assent to it, and, in the second place, we express our view that Shantung should go back to China; and this we do because called upon to act and express ourselves, even though the act be wholly futile and even though we may not accomplish the design that is ours in relation to the Province.

So, I repeat, there is a twofold design in this amendment, not with the recognition upon our part of absolute accomplishment of what we endeavor to do; not at all; but we point the wrong, we decline to be a party to it, and then we express what we believe to be the right, and that is the bold, the courageous, the righteous thing to do in a proposition of this sort.

I listened this morning to various remarks concerning secret treaties. As I understood the distinguished Senators who spoke in regard to them, it was asserted that no obligation rested upon any of our allies or any of our cobelligerents to communicate to us the nature of the bargains which they made before we entered into the war. Very respectfully I dissent from that position. I say that when we entered this war and mobilized the forces of this land, when we went into this conflict by the side of our cobelligerents, the duty rested upon those cobelligerents to make known to us how they had divided the earth's surface and the peoples of the world. It rested upon them to advise us, just as in the daily affairs of life, if you go forward with an individual, it is his duty to advise you of all the facts that may lie in your common path and of all those things which you may together in the future encounter.

I can not for an instant subscribe to the idea that the foreign nations engaged with us in this strife could accept from us all that was done by America in this war and withhold from us every treaty that they had made which was designed at the peace table finally to dictate the peace. That is something I will not for a moment concede, and in which I am in total disagreement with some of the gentlemen whom I have heard this morning.

The justification of the treaty provision again is made that China has been despoiled before, that in the days gone by we have permitted, without open protest, it is said, various parts of China to be taken by various countries of the earth. Admit it all, Mr. President; concede the despoilment of China in the past; concede that it has transpired exactly as has been related upon this floor. This is the first time, Mr. President, that the United States of America has ever been a party to the despoiling of China, and this is the first time that the signature of the people of the United States has been put to any document which took from China peoples or territory.

There is an immense difference between observing a despoilment which we could not preclude or prevent, and being a party to that despoilment, as we are in the present instance. The proudest thing that there is in our history, Mr. President, the one thing of which we may most boast, is that in all the time that we have been a Nation we have never despoiled a

friend and we have never broken our plighted word, and for the first time in the history of the United States now we are asked, not alone to break a plighted word, but we are asked to despoil a friend, upon the theory that we were bluffed out of doing our full duty in the premises and that we might hereafter remedy the wrong that is done.

We are told, too, Mr. President, that this wrong may be remedied by the league of nations hereafter. But I will not insult the intelligence of this body by suggesting that any action in this regard could be brought about not alone by those who are parties to the partition of China, but by the one benefiting nation, Japan, under the league of nations. And so a statement that the remedy might be had under the league of nations is a statement, indeed, that has no real foundation, and is utterly without verity so far as the facts are concerned.

Justification of the secret treaties in this instance and in others? I can not understand that kind of ethics. Justification that China could be despoiled by secret treaties and those secret treaties withheld from us until the President reached Paris, as he says, with no knowledge on his part or on the part of our Government, until that time? Justification for treaties that were entered into, treaties, indeed, that reflected not alone upon Japan, but reflected upon England as well, in dividing the isles of the Pacific? Justification for these treaties, some gentlemen insist upon this floor, when only a short time thereafter, without disclosing those treaties, the representative of Japan asked, from the Secretary of State of the United States, an agreement recognizing the special interests of Japan in China, and never, when thus negotiating, disclosing the treaties which had been entered into which gave a special interest to Japan in China? I repeat, those ethics are beyond my comprehension, and for one I will not subscribe to them at all.

But there is another aspect to this question, Mr. President; there is an aspect that has not been adverted to, so far as I have heard. We had certain terms of peace presented to all the world, certain terms of peace accepted by all the world, certain definite, specific points upon which a world peace should be made, and every nation on earth accepted those certain definite, specific points of peace, save in the one instance where England withheld consent to the provision relating to freedom of the seas; and the peace of Paris was presumably to have been made, not upon secret bargains, not upon treaties entered into before we entered the war, but specifically and directly, by the promise of every belligerent, the peace of Paris was to be made upon the statements of the peace iterated and reiterated by the President of the United States, and accepted by every belligerent in the war. When the President made his specific points of peace, and when they were accepted as the basis of the peace by every nation on earth, these secret treaties and these secret bargains by which spoil was given stealthily unto our cobelligerents were substantially abrogated, and should never thereafter have been heard of; least of all, they never should have been permitted to be a part of the treaty in any degree at all.

Lest we forget, let me remind you of what these terms were upon which we made the peace, and after I have reminded you of what these terms were upon which we made this peace, take your Shantung provision and square it with the terms that were announced to the world and that the world accepted. Take your Shantung infamy, upon which you wish a reservation after you agree to it, and see whether it fits into the picture that was painted by the President of the United States, and to which not only we, but every nation upon the face of the earth, assented and agreed.

In the 14 points presented by the President in January, 1918, we find this:

5. A free, open-minded, and absolutely impartial adjustment of all colonial claims, based upon a strict observance of the principles in determining all such questions of sovereignty the interests of the populations concerned must have equal weight with the equitable claims of the government whose title is to be determined.

On February 11, 1918, in the address of the President we find these principles announced:

The principles to be applied are these:

First, that each part of the final settlement must be based upon the essential justice of that particular case, and upon such adjustments as are likely to bring a peace that will be permanent.

I assume there is no man who will claim that the essential justice of the case is met by the provisions of the treaty in relation to Shantung. Now, follow this, if you please:

Second, that peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game.

We applauded that, and the CONGRESSIONAL RECORD has in parenthesis the word "Applause." The President continued:

Even the great game, now forever discredited, of the balance of power.

"Peoples and provinces are not to be bartered about from sovereignty to sovereignty as if they were chattels and pawns in a game." Oh, we applauded vociferously when the President thus announced this principle. Where is the applause to-day? Have we forgotten that in the peace conference subsequently peoples were in this particular decision bartered about just as if they were pawns in a game, and are we seeking to maintain American principles thus announced or are we seeking a way of escape from recognizing the American peace principles which in February, 1918, we vociferously applauded?

Third, every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned, and not as a part of any mere adjustment or compromise of claims amongst rival States.

How well that sounds to-day, and yet how soon forgotten. I am sure principles of this sort struck a responsive chord in every American breast. I am sure that every one of us subscribed with enthusiastic approval and indorsement to the statement of the President when he asserted that "every territorial settlement involved in this war must be made in the interest and for the benefit of the populations concerned."

This we believed in February, 1918; this we applauded; this enthusiastically we indorsed. Where is our applause, where is our belief, and where is our indorsement to-day of this principle?

We have the opportunity at least to express ourselves. I repeat, it is not a question of righting a wrong; we may be wholly unable to do it. But we have the opportunity either to stand by our utterances in the past, to do equal and exact justice so far as we are able; we have the opportunity to do the reverse, or we have the opportunity to shirk from either course.

I call the attention of the Senate to these principles of peace because I insist that we, so far as we are able, with the primary obligation now resting upon us to do our duty in respect to the ratification of treaties, should maintain at all hazards, maintain as well as we are able, in every possible manner, the good faith and the honor of the American Nation, and the good faith and the honor of the Senate of the United States.

I quote the President further:

Fourth, that all well-defined national aspirations shall be accorded the utmost satisfaction that can be accorded them without introducing new or perpetuating old elements of discord and antagonism that would be likely in time to break the peace of Europe and consequently of the world.

Then followed these words:

A general peace erected upon such foundations can be discussed. Until such a peace can be secured we have no choice but to go on. So far as we can judge these principles that we regard as fundamental are already everywhere accepted as imperative, except among the spokesmen of the military and annexationist party in Germany.

The President says, in February, 1918, that "these principles for which I contend now had been imperatively accepted by every nation on the face of the earth"; and yet at that very time the pockets of our cobelligerents were bulging with secret treaties and secret bargains, by which they were denying the very principles we were expressing to the world and that had been accepted, as the President says, imperatively by all the nations of the earth.

I read again:

If they have anywhere else been rejected—

That is, other than in Germany—

the objectors have not been sufficiently numerous or influential to make their voices recently audible. The tragical circumstance is that this one party in Germany is apparently willing and able to send millions of men to their death to prevent what all the world now sees to be just.

All the rest of the world but Germany were sending their forces forward, said the President, in order that every territorial settlement involved in this war should be made "in the interest and for the benefit of the populations concerned." Every other nation on earth, said the President in 1918—and you applauded then—was mobilizing its resources and sending its youth to their death in order that peoples and provinces should not be "bartered about from sovereignty to sovereignty as if they were mere chattels and pawns in a game."

To-day, after we have listened to these principles and accepted them all this time; to-day, in dealing with this provision of the treaty, we are handing about peoples as if they were mere chattels in a great game. How brief are our memories, and, indeed, how soon we forget the principles that we ourselves announced to the world so short a period ago.

I read further from the President:

I would not be a true spokesman of the people of the United States if I did not say once more that we entered this war upon no small occasion and that we can never turn back from a course chosen upon principle.

I do not pause to characterize the peace conference at Paris when it turned its back upon principle, but to us to-day comes the question—we are up against the gun right now on this

Shantung provision—shall we, a part of the Government of the United States that possesses its glorious traditions, and that we upon this side and upon the other side, too, think is the bulwark of the American liberty—shall we, when confronted for the first time with our principle, turn our backs upon that principle and do what admittedly is a wrong and an injustice and an infamous thing nationally?

I continue with the President's remarks:

Our armies are rapidly going to the fighting front and will go more and more rapidly. Our whole strength will be put into this war of emancipation—emancipation from the threat and attempted mastery of selfish groups of autocratic rulers—whatever the difficulties and present partial delays. We are indomitable in our power of independent action and can in no circumstances consent to live in a world governed by intrigue and force.

And then we applauded again. "We are indomitable in our independent action, and we can not live in a world of intrigue and force," and yet to-day the right of our independent action is questioned and not only questioned but denied by some Senators upon the floor, and it is insisted that that right of independent action we should forego now because of circumstances they relate that may come to us out of the peace conference and possible delay in the signing of the treaty. We could not, in February, 1918, even then live in a "world of intrigue and force," but to-day not only can we live in a world of intrigue and force but we can embrace it and say to ourselves, satisfying our consciences by a reservation after consenting to it, not only will we live in a world of intrigue and force but by our votes and our action we will make other people, too, live in a world of intrigue and force. I decline, Mr. President, to do it, so far as I am concerned.

Let me continue with the President's remarks:

We believe that our own desire for a new international order under which reason and justice and the common interests of mankind shall prevail is the desire of enlightened men everywhere. Without that new order the world will be without peace and human life will lack tolerable conditions of existence and development. Having set our hand to the task of achieving it, we shall not turn back.

And at the very first blush, the very first breath of power and intrigue in this treaty, we turn back, and, to use a phrase that has been common of late, we scuttle and run for fear that some nation across the water shall say us nay and shall say that we delayed the signing of the peace treaty.

Again:

I hope that it is not necessary for me to add that no word of what I have said is intended as a threat. That is not the temper of our people. I have spoken thus only that the whole world may know the true spirit of America—that men everywhere may know that our passion for justice and for self-government is no mere passion of words but a passion which, once set in action, must be satisfied.

When and where did we change so that our passion for self-government and liberty became a mere passion of words? If we set out upon that mission in February, 1918, if we agreed that, having set out upon that mission, we would not turn back, let us not turn back now. Let us do the right, no matter what the consequences may be, no matter what even may be the futility of the act. Let us do the right and let us put our stamp of disapproval upon a provision admittedly wrong.

Let me proceed with the concluding sentences of this address of the President:

The power of the United States is a menace to no nation or people. It will never be used in aggression or for the aggrandizement of any selfish interest of our own. It springs out of freedom and is for the service of freedom.

And not only do we have these addresses to which assent was given by our people and by the nations who were engaged in this war, but on July 4, 1918, much of what had been said before was reiterated by the President. I want to read a portion of that address:

This, then, is our conception of the great struggle in which we are engaged. The plot is written plain upon every scene and every act of the supreme tragedy. On the one hand stand the peoples of the world—not only the peoples actually engaged, but many others also who suffer under mastery but can not act; peoples of many races and in every part of the world—the people of stricken Russia still, among the rest, though they are for the moment unorganized and helpless. Opposed to them, masters of many armies, stand an isolated, friendless group of governments who speak no common purpose but only selfish ambitions of their own by which none can profit but themselves, and whose peoples are fuel in their hands; governments which fear their people and yet are for the time their sovereign lords, making every choice for them and disposing of their lives and fortunes as they will, as well as of the lives and fortunes of every people who fall under their power—governments clothed with the strange trappings and the primitive authority of an age that is altogether alien and hostile to our own. The past and the present are in deadly grapple and the peoples of the world are being done to death between them.

Oh, you can repeat that to-day upon this hearing. The past and the present are in deadly grapple, and the United States Senate is called upon to say whether a helpless people, always our friend, shall be ground between the forces which have made possible autocracy and government wherein peoples are not considered at all.

I read further:

There can be but one issue. The settlement must be final. There can be no compromise. No halfway decision would be tolerable. No halfway decision is conceivable. These are the ends for which the associated peoples of the world are fighting and which must be conceded them before there can be peace.

I. The destruction of every arbitrary power anywhere that can separately, secretly, and of its single choice disturb the peace of the world, or, if it can not be presently destroyed, at the least its reduction to virtual impotence.

II. The settlement of every question, whether of territory, of sovereignty, of economic arrangement, or of political relationship, upon the basis of the free acceptance of that settlement by the people immediately concerned, and not upon the basis of the material interest or advantage of any other nation or people which may desire a different settlement for the sake of its own exterior influence or mastery.

Read that second paragraph in the light of this determination. And now, having read these principles of peace, it seems to me obvious that we held out to the world certain definite principles upon which the peace would be made. They are our principles as well as the principles that were enunciated by the President. He enunciated them, and we at least accepted and applauded them. Whether he has maintained himself in relation to these principles is not the particular question at present. The question is, having our word pledged to all the world, having pledged our faith to this helpless ally of ours across the Pacific, shall we keep our faith as best we can? In this juncture shall we, irrespective of whether the duty has been done by any other person, do our duty?

I repeat, Mr. President, this is a moral issue, plain and simple. It is a moral issue. Upon the one hand is the right and upon the other is the wrong. No matter what may transpire, no matter what may be the possibilities of its decision, no matter whether it may remedy the wrong or affect it, the decision of the Senate of the United States should be for the right upon this moral issue.

Mr. BRANDEGEE and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BRANDEGEE. I will yield to the Senator from Mississippi if he wishes to ask permission to have matter printed in the Record.

Mr. WILLIAMS. Mr. President, I have just listened, as have you and the Members of the Senate, to the impassioned oration of the Senator from California [Mr. JOHNSON]. His chief characteristic seems to be impassionateness of one sort or another. He comes back after an unsuccessful visit to California to contend for an unsuccessful proposition in the Senate of the United States. The Shantung amendment is going to be defeated. It is going to be defeated by the common sense of this body.

I have received a number of communications from the State of California in the last few days, some of which I desire to insert in the Record, and some of which I shall now read:

SAN FRANCISCO, CALIF., October 8, 1919.

Senator WILLIAMS,
Washington, D. C.

DEAR SENATOR: I note with much gratitude your attitude toward the ratification of the treaty of Versailles in its present form.

Senator JOHNSON represents only the Irish and the sentiment opposed to Japan; he does not speak for the best thought in California. I spent 14 months in France fighting for the principles embodied in the league covenant, and I assure you that I should be glad to return to France and Germany if by so doing I could complete the task begun in 1914. So far as policing certain areas of Europe is concerned, it seems to me a Regular would prefer service in Silesia or elsewhere to service in China guarding commercial interests. While the President has been unwise in some things, he did his duty in Paris. There is a strong feeling out here that JOHNSON is only a politician, fighting Wilson instead of the treaty.

Sincerely, yours,

R. S. MACRAE, Jr.

[Western Union telegram—Night letter.]

OCTOBER 4, 1919.

Hon. HIRAM JOHNSON,
857 Green Street, San Francisco:

"Green Street"—

We have listened to your message and feel that your criticism of the league of nations presents no constructive alternative—

And at that point I call the attention of the Senate to the words "presents no constructive alternative."

What are you going to do if the league of nations is defeated? If the treaty with Germany under the league of nations is defeated, what are you going to do? Are you going to Germany upon your knuckle bones and ask for a new treaty? I do not want to take any advantage of you. I am perfectly aware of the fact that whether you go on your knuckle bones or otherwise, Germany will be only too glad to agree to any terms that you may dictate, because she hopes, out of the trouble, to devise further trouble between us and our allies; she hopes out of it all, as Ludendorff recently said in a speech in Germany, to achieve by a treaty of peace what she failed to achieve by war; but, all the same, the remarks of the Senator from California, the remarks of the Senator from Massachusetts, and the remarks from other

Senators disclose "no constructive alternative"; the language is very important—"constructive alternative." I now resume the reading:

Defects in the covenant can be amended, and meantime it offers the only comprehensive attempt toward enduring peace. The majority of California women are greatly opposed to American isolation and wish their country to continue maintaining her share of international responsibility.

Elizabeth Ashe, Mrs. A. S. Baldwin, Mrs. Charles P. Eells, Sarah Hagan, Mrs. Vernon Kellogg, Mrs. Earnest J. Mott, Mrs. William Palmer Lucas, Mrs. Warren Olney, Jr., Mrs. Frederick G. Sanborn, Mrs. Clarence M. Smith, Mrs. Jesse H. Steinhardt, Mrs. Annette Abbott Adams, Mrs. Bert Schlesinger, Mrs. Alfred Raas, Mrs. Ray Lyman Wilbur, Mrs. Herbert Hoover, Mrs. Robert A. Dean, Mrs. Grace B. Calkin, Marion Delaney, Mrs. Ralph P. Merritt, Mrs. Duncan McDuffie, Mrs. Louise La Rue, Marion Leale, Dr. Aurelia Reinhardt, Mrs. Laura Molleda, Mrs. Osgood Hooker, Florence Musto, Mrs. Aaron Schloss, Mrs. James Ellis Tucker.

I have also received the following letter:

OXFORD APARTMENTS,
Berkeley, Calif., October 9, 1919.

HON. JOHN SHARP WILLIAMS,
Washington, D. C.

DEAR SIR: Pardon me for troubling you. My excuse is my interest in the struggle over the peace treaty and the league of nations, and having closely observed your course in the contest I am led to conclude that any reliable information as to the real sentiments of the people of California touching these vital matters will interest you; so I take the liberty of sending you the inclosed "straw vote" just taken at the First National Bank in this city. As this vote was taken subsequent to the visit of Senator JOHNSON it would seem to indicate that his whirlwind campaign turned out to be a harmless zephyr.

From extensive observations and personal inquiries throughout a large part of this State, I am convinced that the vote as here recorded is below the average of what would be shown by a complete poll of the State. However, nearly 5 to 1 is pretty good.

I am proud to claim Mississippi as my native State.

Yours, for speedy ratification,

J. WALTER SMITH.

Mr. Smith incloses the following:

STRAW BALLOT—LEAGUE OF NATIONS.

Deposit at statement department, window No. 38, First National Bank, Berkeley, Calif.

For league of nations.....	1,273
Against league of nations.....	281
For league with reservations.....	183
For league with textual changes.....	16
For league with reservations and textual changes.....	116
For league with interpretative resolutions.....	94
Total.....	1,963

Vote for one proposition only.

Now, Mr. President, switching from San Francisco and the Pacific coast, I come finally to the South, and to some of the resolutions passed by the United Confederate Veterans.

Mr. President, I can not pay fitting tribute to the United Confederate Veterans; I am unworthy to pay tribute to them. The few of them who are left yet alive, without pensions and without support from anybody in the world, comprehend the best part of all humanity in all the world. Everybody who knows anything about the history of the United States knows that. They are the purest and the noblest and the greatest that America hitherto has produced. I do not mean by that any reflection upon anybody else; I merely mean that I know these old fellows and I know that they represent the highest, the loftiest, the most altruistic, and the most idealistic opinion of America. They have met and have passed in behalf of the treaty of peace the resolutions which I send to the desk, and ask to have inserted in the RECORD.

The PRESIDING OFFICER. Without objection, leave will be granted. The Chair hears no objection, and it is so ordered.

The resolutions referred to are as follows:

Whereas the amendments and textual reservations to the treaty of peace and league of nations covenant now pending in the Senate of the United States sharply present the issue as to whether or not this great Republic shall disassociate itself from her allies in the common struggle for the perpetuation of liberty, justice, and the rights of humanity, and refuse to participate in the efforts for a just and lasting peace; and

Whereas the league of nations forcibly presents the ideal for which the Christian world has been earnestly working and hopefully praying for centuries, thereby creating and providing for a wiser and more humane method of composing the differences and contentions of nations with each other without the sacrifice of national sovereignty: Therefore be it

Resolved by the Confederate Veterans in annual meeting assembled, That the Senate of the United States be, and it is hereby, respectfully memorialized to speedily ratify the treaty of peace with Germany and the league of nations covenant without amendment or textual reservations.

Humanity, commerce, industry, and the whole commercial order demand that this be done. We should not be kept longer in the twilight between peace and war. We earnestly protest against further negotiations and reopening of the treaty with Germany which would necessarily result if amendments and reservations should be made.

The Constitution of the United States has been frequently amended in the manner provided by that great instrument, and other amendments will follow from time to time as the occasion requires. If the league

of nations covenant has infirmities or needs further material correction such amendments can be safely left to the action of the league in the manner provided by the covenant. After the victorious war, let the Senate take no action which would compel the United States to humbly petition Germany for its consent to changes in the treaty.

We entered the war not only to avenge the wrongs and outrages done us but for the preservation and perpetuation of liberty, freedom, justice, and that right should triumph over might; not for conquest but for conscience; not for selfish but for righteous ends; that military autocracy seeking world domination might be dethroned, and that world democracy, governed not by force and fear but by faith, justice, and friendship, might prevail.

No selfish act has marked our course in this Great War, and let us be mindful that no selfish, partisan, or unholy influence shall deter us from the performance of our full duties and responsibilities as peace-makers and peace keepers.

The same inspiring causes, and the same conscience which induced us to wage war, resulting in victory, command us now to stand by the league and energetically cooperate with our allies in bringing about a just and enduring peace.

To abandon our allies now, refuse to participate in the league, and seek separate peace with Germany is unthinkable and too horrible to contemplate. If we could not keep out of the war we can not honorably keep out of the league.

This great conflict has taught us that America, with her lofty ideals and unselfish spirit, belongs to the world and must take her share of the world's burdens in solving world problems. As she stood firmly and courageously with her allies in war, she must stand with them in peace. Let us not adopt any policy of cowardly evasion of our responsibilities by killing the treaty with amendments and boastingly say to our allies, with whom we have worked harmoniously shoulder to shoulder in the war, "You will take us on our own terms, for without us your league is a wreck, and all your gains from the victorious peace are imperiled." On the contrary, let us willingly and gladly cooperate with the other signatory powers, and the peace-loving nations of the world, to prevent the recurrence of a cruel, life-destroying, and devastating war like that from which we are just emerging, and let us uncomplainingly accept our share of the responsibility in making the league of nations effective. If our responsibility as maker of peace has been great, our responsibility as conservers will be even greater.

Fall to ratify the treaty, and our brave boys who made the supreme sacrifice for liberty, justice, and humanity will have died in vain.

Mr. WILLIAMS. Oh, Mr. President, the United Confederate Veterans know something about war, its horrors and its conquests. There has been nothing in all the history of all the world to compare to them in their hour of military surrender and in their hour of self-surrender, which came later. If they had been Irishmen in southern Ireland fighting for something unattainable, they would have left to the history of the United States a different page; but they had common sense enough to know when to quit.

When Robert E. Lee surrendered his armed forces in the field he surrendered them and came back into the American Union as well as he and they could, reconciled to the situation. We are nearly all glad to-day that there are no custom-houses along the Ohio or the Potomac to divide the American people. The Irish might at least learn that while they are seeking Irish freedom they ought to seek human freedom. They might at least learn while they are seeking the freedom of a part of Ireland to allow Ulster her freedom. The North finally left home rule to Virginia and Mississippi.

It has not been many days ago, Mr. President, since I heard upon this floor a pretense that over 50 per cent of the American Revolutionary troops were Irish when we gained our independence. Only about 4 per cent of the population of the United States at that time were Irish, and two-thirds of that 4 per cent were Scotch-Irish and English-Irish from Ulster; and during the American Revolution whenever a man raised his cup of beer in Ulster he drank "to the memory of William of Orange and to the liberties of the American Colonies." I also find out from a little bit of investigation that the British troops who took the works at Bunker Hill against us and made a defeat out of the thing that we have celebrated as a victory were a British command denominated the Royal Irish. They went over our works at the very last minute and took them from us.

Some time ago a man wrote to me, an Irishman in this city, and said:

While your father was a colonel in the Rebel Army my father was a private in the Federal Army, and my brothers and uncles and various other people were fighting that way.

Now, Mr. President, without any question of the rightness or wrongness of his contention, I wrote back to him and said:

I do not exactly understand why that appeal should appeal to me. You are now coming to me with the idea of Irish self-determination. When Mississippi wanted self-determination, and when Virginia wanted self-determination, and when Alabama wanted self-determination, you people chiefly prided yourselves upon the fact that you did not allow us any self-determination. I have met over 100 of you since the Civil War who have told me in a confidential, democratic way that it was not the Yankees—the "damned Yankees," as they called them—but the Irish that whipped the people of the South.

As a matter of fact, of course, the Irish never whipped the South at all. They could not whip one State of the South. They could not whip the South anywhere, at any time. They are always contending that they have done everything, every-

where, at every time. They never won the war of the American Revolution. Ten Irishmen were in the British Army to every one Irishman in the American Revolutionary Army.

It was the noble, magnificent men of the West—Iowa and Wisconsin and Michigan and Illinois and Ohio and Indiana—that won that war against the South, fighting with a spirit that no people upon the surface of this earth ever displayed before, but going down before superior numbers. What did the Irish have to do with it? All the Irish in Mississippi were fighting for Mississippi. All the Irish in Virginia were fighting for Virginia. All the Irish down South were fighting for the South. Some of the noblest and bravest and best soldiers that I ever knew personally in my life were of their number; but the fact remains that they fought upon whichever side of the line they happened to reside.

The Democratic Party as a party is not engaged in this controversy; and if I am to believe the assertion of the Senator from California and the Senator from Massachusetts, the Republican Party as a party is not engaged in this controversy.

Mr. President, I find this amongst the contentions of these men who are opposed to the league of nations and the treaty of peace—that while they are constantly emphasizing what they call "Americanism," they mean by it pro-Germanism, Irish-Americanism, Magyar-Americanism, and Austrian-Americanism. We have finally reached the point where, according to the tale of the ledger, no man can be a real American unless he is an Irish-American or a German-American or some other sort of a hyphenated American. I do not think these gentlemen have measured up the consequences.

Suppose that once we English- and Welsh- and Scotch- Americans who have never hyphenated ourselves but have just called ourselves Americans dare to unite in one single party and announce to the American Republic that every man in America who is Scotch, English, or Welsh, or the son of a Scotch, English, or Welsh man or woman, or descended from them, shall consolidate politically as the others do, or attempt to do, where would these fellows be? We are not going to do it, because we are simply Americans and nothing else; but suppose we followed their example and grouped ourselves according to racial derivation as they tend to do? Their only strength consists in the fact of their confidence in our not doing it. They imagine that we dare not ever say to them that we are of English or Scotch or Welsh descent.

Mr. President, I am perfectly aware that this speech which I have just made, or attempted to make, is an unwise speech politically considered. I am perfectly aware of the fact that the Friends of Irish Freedom have been packing these galleries for some weeks. I am perfectly aware of the fact that even my Democratic colleagues might call me to account for the inexpediency of it.

I and those with me standing for this treaty and this league of nations are contending for Anglo-Saxon freedom, for the great universal spirit that has dictated the traditions and the ideals of the race in the United States of America, and in Canada, in Australia, in New Zealand, and in South Africa, those traditions and those ideals being simply expressed in the phrase, "Law and liberty with order," a spirit that is as far removed from Russian Bolshevism as it is from Prussian autocracy, but a spirit standing halfway between license and law.

Mr. President, if there be anything in this world more precious to humanity than Anglo-Saxonism, I do not know where it is to be found. If there be any liberty in this world that did not gather its birth from our brethren in Great Britain, I do not know where it will be found. If there be any law and order in this world that did not gather itself from them or from us, I do not know where it will be found.

All the world ran riot for 100 years except Great Britain and the United States of America. They held their own; they are holding their own now. They have a great middle class that dictates their policies. They have no ruling aristocracy—not even in England now. They have, on the other extreme, no proletariat that can dictate what they shall do. They have a great middle class of average citizens—or subjects, whichever they may be called, here or there—which says to all, "Thus far shall ye go, and no further."

I care not for Germans, I care not for Austrians, I care not for Russians, I care not for Turks, I care not for Serbians, I care not for Roumanians, but I do care for the great political and ethical philosophy of Anglo-Saxonism, and by the aid of God's right hand, extended to our right hand—we upon the earth below and He in heaven above—we are going to establish the civilization and the enlightenment of this world upon the basis of Anglo-Saxon law, Anglo-Saxon order, and Anglo-Saxon liberty. Having made it national, we are going to make it international.

I do not care much about what gentlemen say as to Shantung. I am opposed to the part of the treaty about Shantung. But I recognize the fact that the average American citizen that says that he cares whether Shantung is under Japanese or Chinese sovereignty is more or less talking through his hat. He never heard of Shantung until about the time this war started, and did not know anything about it. All at once, one day, somebody woke up and in a partisan sense announced that he was unalterably for China, and a lot of the men who said that are men who upon the Pacific slope had been fighting Chinese and advocating Chinese-expulsion laws for years. It reminds me of the time when Dewey made the discovery of the Philippine Islands by taking Manila, and all at once, within about three or four weeks, there rose up many Americans who said that the American Republic could not exist without the Philippine Islands. Most of them did not know anything about the Philippine Islands except that there was a hat called the Manila hat, and a straw called Manila straw, that came from there, and even that some of them thought came from Spain.

Mr. HITCHCOCK. Will the Senator yield to me to make a request for unanimous consent?

Mr. WILLIAMS. Of course.

Mr. HITCHCOCK. I ask unanimous consent that the Senate vote upon the pending Shantung amendments to-day not later than 5 o'clock, and that after the Senator who is now addressing the Senate takes his seat speeches be limited to 20 minutes.

Mr. WILLIAMS. Mr. President, I will go a little further than that. I will not insist even upon my five minutes. I would be very glad to have a vote. I want to spend about three minutes in saying, before the request for unanimous consent is put, that I do not see the slightest reason in the world why any Member of the Senate on either side of this controversy should resist a vote upon any possible amendment or reservation. Every one of us knows already how he is going to vote. The Senator from Nebraska [Mr. HITCHCOCK] could not have any influence over me if he spoke for three hours. Even the Senator from Missouri [Mr. REED] could not have any influence upon either one of us if he spoke for four hours. Nobody could. I would be very glad indeed to have a unanimous-consent order to take a vote upon anything in connection with this treaty, and especially upon the proposition submitted by so-called friends of the treaty who want to offer reservations.

The VICE PRESIDENT. The Senator from Nebraska asks unanimous consent that not later than 5 o'clock a vote shall be taken upon the Shantung amendments, and that from this time forward speeches be limited to 20 minutes. Is there objection?

Mr. ROBINSON. Mr. President, I desire to ask the Senator from Nebraska a question. The Senate is proceeding under a unanimous-consent agreement to consider the so-called Shantung amendments en bloc. I desire to know of the Senator from Nebraska whether his request carries with it that the vote shall be upon these amendments en bloc, and I suggest to him that he submit his proposition in that manner, if he sees fit to do so.

Mr. LODGE. The agreement was that there should be only one vote.

Mr. HITCHCOCK. I think that was the understanding.

Mr. LODGE. It is the understanding that we shall vote on them en bloc.

Mr. ROBINSON. The agreement does not reflect that. As written on the calendar, it merely reflects an agreement to consider them en bloc.

Mr. LODGE. I know; but I supposed it was understood that we would have but one vote.

Mr. HITCHCOCK. I make the request in that form, then.

The VICE PRESIDENT. The Chair will restate the request. Is there any objection to voting upon the Shantung amendments en bloc not later than 5 o'clock, and that speeches be limited to 20 minutes in the meantime?

Mr. BRANDEGEE. Mr. President, have I the floor irrespective of the request for unanimous consent? My reason for asking the question is that it is now 4 o'clock, and if we are to vote at 5 o'clock it will allow only three Senators to speak. If I have the floor, I shall not object and wish to take 10 minutes; but I want to know whether I have the floor or not.

The VICE PRESIDENT. The Senator from Connecticut will have the floor when we find out whether there is objection to the request for unanimous consent.

Mr. BORAH. What is the necessity for having a limitation? I do not think there are over two or three speeches to be made. I do not care especially about this particular vote, but there are other votes coming, and I do not wish to have a precedent established by fixing a specific time to vote. I am satisfied that we will get a vote by 5 o'clock, anyway.

Mr. HITCHCOCK. Under those circumstances, Mr. President, I withdraw the request.

Mr. BRANDEGEE. Mr. President—

Mr. PHELAN. Mr. President, may I ask the Senator from Connecticut to yield to me for three minutes to make some brief comment upon the address of the Senator from Mississippi [Mr. WILLIAMS]?

Mr. BRANDEGEE. I had one experience half an hour ago in yielding for a minute. I would be very glad to yield, Mr. President, if I would not lose the floor; but if I keep yielding to Senators for different periods of time, we can not get a vote by 5 o'clock. I do not know that I have a right to yield for a specific period of time, anyway. I will yield for a question at any time.

Mr. PHELAN. If the Senator desires, I will put my remarks in the form of an interrogatory.

Mr. BRANDEGEE. I will yield for a question.

Mr. PHELAN. I would like to ask the Senator from Connecticut [Mr. BRANDEGEE] if he thinks it perfectly fair for a Senator to leave this side of the Chamber and, taking his place upon the other side, make a speech which, in the eyes of strangers looking down upon this body, might be attributed to a member of the Republican Party? [Laughter in the galleries.]

The VICE PRESIDENT. Just a moment. There is going to be order in the galleries. The officers of the Senate have been instructed to remove from the galleries those who do not keep order and obey the rules.

Mr. PHELAN. Speaking of races, I believe the Senator from Mississippi [Mr. WILLIAMS] is of the Welsh race. I desire further to ask this question, if the Senator would consider it opprobrious for the managers of the Dublin horse show to post upon the gates of the inclosure, during the intermission between races, that "These gates are closed in order to prevent the escape of 'welshers'?"

Does the Senator think it would be any reflection upon the Deity if Senators, addressing this Chamber and commenting upon the street address of the junior Senator from California, made reflections upon the color "green," with which God has clothed all his wonderful works? Or, would the Senator think that in making a comparison between the Irish in battle and the Irish in peace, that the South, having accepted the situation and yielded to superior force, should also record such conduct on the part of the Irish, who fight but never surrender? The fact is the South, after a valiant struggle, gave way because there was no moral force behind their cause. They were fighting for slavery, whereas the Irish are always fighting for freedom.

I commend to the Senator from Mississippi that he go and live in Ireland because, as was said by a Chinese mandarin, who had observed that he would rather live in Ireland than in any other land, in answer to an interrogatory to explain why, said, "It is the only country in which the Irish have nothing to say."

Mr. BRANDEGEE. Mr. President, I may say in opening that I regret exceedingly the introduction into this great question, the weightiest and most pregnant question that has been placed before the Senate of the United States, of these racial questions and questions which develop racial feeling. This is an American question to me, and I have no racial prejudices whatever in relation to it.

One of the inescapable consequences, however, in attempting to frame and put in operation a vast contract to control all the nations of the world, who have at times been rivals and enemies, is that you can not put your finger upon any national trouble in Europe, Asia, or Africa, and attempt to deal with it by this Government without immediately arousing racial feeling in this population of ours, which is drawn from all the Governments and countries of the world.

We are altogether differently situated from any other nation in the world in that respect. All our ancestors came from some one of these foreign countries, and it is impossible to touch any one of the complications which are daily unfolding themselves now in foreign lands without involving, to a certain extent, our own peace and good order, and stirring up racial feelings in this country.

Nevertheless, Mr. President, in the consideration of this treaty and the first part of it, the league of nations covenant, I am speaking simply as an American and without, as I trust, any partisanship and without any racial prejudice. I want to do what I think is best for the United States of America as a Government and for all its people in the long run.

As to the immediate and pending amendment with reference to Shantung, it is immaterial to me how deep a knowledge of the Province of Shantung existed among the people of America before this treaty was formulated. It is not a question of the knowledge that existed as to that Province or other Provinces of China and other remote places in the world. The question is a question of principle, and that is all. It is equally applicable, whether the inhabitants be Chinese, Japanese, or Europeans. Here is a great Province of 40,000,000 people, which holds the

command of the arteries of commerce in China, to be turned over from its ancient possessor for 6,000 years into the hands of a foreign empire. We have recognized the Republic of China—

Mr. WILLIAMS. Mr. President, does the Senator contend that 40,000,000 people are turned over to Japan under this treaty, and that that formed a possession of Germany?

Mr. BRANDEGEE. I will say to the Senator in reply that I made some remarks on this same subject yesterday, and the idea is that, while the territory itself is not turned over, the possession of the strategic ports and the railroads and the business concessions will allow Japan to control the Province effectively, and, controlling the Province, they control all of north China.

Mr. WILLIAMS. Then the Senator's argument is based upon the idea that by the possession of railroads and mines they control the entire population?

Mr. BRANDEGEE. The idea is based upon the testimony of Dr. Ferguson, who has been for some 20 years in China and is counsel for the President of China; upon the testimony of Prof. Edward Thomas Williams, who is a professor in Stanford University of California and was the expert on oriental affairs retained by the peace commission itself; and upon the testimony of Mr. Millard, editor of the Far Eastern Review. Upon the testimony of those three gentlemen, whose credibility and whose competency, I venture to say, can not be questioned, it was based.

Mr. WILLIAMS. Do I understand the Senator to say that two out of those three have asserted that there are 40,000,000 of Chinese transferred to Japan?

Mr. BRANDEGEE. I did not assert that there had been 40,000,000 Chinese transferred. I said they all stated that those who control the commerce and facilities for commerce of the Province of Shantung control the destiny of China, and I believe it.

Here is a proposition to turn over to a foreign empire a Province which has a population of 40,000,000—

Mr. WILLIAMS. Thirty-six million.

Mr. BRANDEGEE. Whatever it may be—from thirty to forty millions. It is equivalent to a proposition that a State much larger than the Empire State of New York, with its harbor and terminal facilities and radiating railway arteries of communication, should be turned over to an alien empire. Do you suppose the people of this country would put up with such a situation as that? Is that sort of a knife at the throat to be lightly laughed away by saying that nobody cares about the Chinese or whether Shantung is occupied by Chinese or Japanese? Mr. President, is that the spirit in which this great treaty is to be considered?

Here is our fellow Republic, China, which we have recognized. Here, in the very act of creating a covenant for the promotion of peace and good will among men, the first evidence of the spirit which is to actuate the council, which is to control the destinies of all nations, is to plunge a knife into the confiding bosom of our fellow inoffensive, helpless Republic and despoil her.

Mr. President, there is no use arguing the facts of this question. Everybody is ashamed of the transaction. Nobody has risen here or elsewhere to deny the facts. The facts are indisputable. The facts are stated by the President himself, and I will read his testimony in a moment.

But it is said that if we do not become a party to this infamy we can not get the covenant. That is the price. Forty millions of Chinese, the whole Chinese Empire is to be despoiled because Japan, through the Japanese delegates to the peace conference, according to the testimony of the President in the White House to the Foreign Relations Committee of the Senate, notified him that if he did not carry out the provisions of the secret treaties which England and France had made with Japan—

Mr. WILLIAMS. And Italy.

Mr. BRANDEGEE. Yes; and Italy—to turn over this Province to Japan, they stood instructed by the Japanese Government to withdraw from the conference.

And the President of the United States, instead of standing upon the lofty principles announced by him and reiterated to-day by the Senator from California [Mr. JOHNSON], weakly surrendered because he had to have his covenant.

I read now from page 529 of the hearings before the Committee on Foreign Relations. This is the interview of the President with the Foreign Relations Committee at the White House:

Senator BRANDEGEE. In part G of the hearings before our committee, on page 182, Senator JOHNSON of California questioned Secretary Lansing. [Reading:]

"Senator JOHNSON of California. Was the Shantung decision made in order to have the Japanese signatures to the league of nations?"

"Secretary LANSING. That I can not say."

"Senator JOHNSON of California. In your opinion was it?"

"Secretary LANSING. I would not want to say that, because I really have not the facts on which to form an opinion along that line.

"Senator JOHNSON of California. Would the Japanese signatures to the league of nations have been obtained if you had not made the Shantung agreement?

"Secretary LANSING. I think so.

"Senator JOHNSON of California. You do?

"Secretary LANSING. I think so.

"Senator JOHNSON of California. So that even though Shantung had not been delivered to Japan, the league of nations would not have been injured?

"Secretary LANSING. I do not think so.

"Senator JOHNSON of California. And you would have had the same signatories that you have now?

"Secretary LANSING. Yes: one more, China.

"Senator JOHNSON of California. One more, China. So that the result of the Shantung decision was simply to lose China's signature rather than to gain Japan's?

"Secretary LANSING. That is my personal view, but I may be wrong about it.

"Senator JOHNSON of California. Why did you yield on a question on which you thought you ought not to yield and that you thought was a principle?

"Secretary LANSING. Because naturally we were subject to the direction of the President of the United States.

"Senator JOHNSON of California. And it was solely because you felt that you were subject to the decision of the President of the United States that you yielded?

"Secretary LANSING. Yes.

"Senator JOHNSON of California. The decision is his?

"Secretary LANSING. Necessarily."

Then I said to the President:

Now, I wondered whether Secretary Lansing was well informed about this question or not?

The PRESIDENT. Well, my conclusion is different from his, sir.

Senator BRANDEGEE. You could not have got the signature of Japan if you had not given Shantung?

The PRESIDENT. That is my judgment.

Senator BRANDEGEE. You say you were notified to that effect?

The PRESIDENT. Yes, sir.

Senator SWANSON. As I understand, you were notified that they had instructions not to sign unless this was included.

The PRESIDENT. Yes.

Now, I read from page 526 of the hearings before the Committee on Foreign Relations:

Senator JOHNSON of California. Did China enter the war upon our advice—the advice of the United States?

The PRESIDENT. I can not tell, sir. We advised her to enter and she soon after did. She had sought our advice. Whether that was the persuasive advice or not, I do not know.

Senator JOHNSON of California. Do you recall, Mr. President, that preceding that advice we had asked China, as one of the neutral nations, to sever diplomatic relations with Germany?

The PRESIDENT. Whether we had asked her?

Senator JOHNSON of California. Yes, sir.

The PRESIDENT. I do not recall, Senator. I am sure Mr. Lansing can tell, though, from the records of the department.

Senator JOHNSON of California. Do you know, Mr. President, whether or not our Government stated to China that if China would enter the war we would protect her interests at the peace conference?

The PRESIDENT. We made no promises.

Senator JOHNSON of California. No representations of that sort?

The PRESIDENT. No. She knew that we would as well as we could. She had every reason to know that.

Senator JOHNSON of California. Pardon me a further question: You did make the attempt to do it, too; did you not?

The PRESIDENT. Oh, indeed I did; very seriously.

Senator JOHNSON of California. And the decision ultimately reached at the peace conference was a disappointment to you?

The PRESIDENT. Yes, sir; I may frankly say that it was.

Senator JOHNSON of California. You would have preferred, as I think most of us would, that there had been a different conclusion of the Shantung provision, or the Shantung difficulty or controversy, at the Paris peace conference?

The PRESIDENT. Yes; I frankly intimated that.

Senator JOHNSON of California. Did it require the unanimous consent of the members of the peace conference to reach a decision like the Shantung decision?

The PRESIDENT. Every decision; yes, sir.

Senator JOHNSON of California. Do you recall, Mr. President, prior to the decision on the territorial question of Shantung, or of German rights in Shantung, the racial equality question coming before the peace conference?

The PRESIDENT. I remember that at one of the sessions called plenary sessions a resolution regarding that matter was introduced by the Japanese representatives, but rather as an expression of opinion or hope, and it was not pressed for action.

Senator JOHNSON of California. Mr. President, the press at that time stated that it had gone to a vote—and I trust some one will correct me if I am in error—and that the vote was 11 to 6 upon the proposition. The dispatches at that time were to that effect.

The PRESIDENT. I was misled, Senator. You are referring to the commission on a league of nations?

Senator JOHNSON of California. Yes.

The PRESIDENT. There was a vote there. There never was a vote on any subject in the peace conference.

Senator JOHNSON of California. I confounded the two.

The PRESIDENT. Yes.

Senator JOHNSON of California. May I ask, if permissible, how the representatives of the United States voted upon that particular proposition?

The PRESIDENT. Senator, I think it is very natural you should ask that. I am not sure that I am at liberty to answer, because that touches the intimacy of a great many controversies that occurred in that conference, and I think it is best, in the interest of international good understanding, that I should not answer.

Mr. President, I will not say that to any lawyer or to any diplomat, but to any high-school child who can read that testimony the whole thing is as clear as a bell. Our historic posi-

tion with reference to China was one of friendship, almost of guardianship. We alone of all the nations that had had the chance to despoil her had treated her squarely and had never taken anything from her. We had her confidence. She knew we wanted nothing from her. Our own Government intimated to the Chinese delegates that they ought not to employ American counsel to protect their rights at the conference, and on that intimation they did not employ American counsel to protect their rights. They relied upon our integrity, and the President says that they knew we would do everything we could to protect their rights. The President says—well, I will not repeat his words—it was with the utmost regret that he surrendered. He surrendered his own principles announced in his 14 points; and he did it because the powers that had made the secret treaty with Japan said, "Here we ourselves are bound; you settle this thing with Japan; you are the goat, so to speak." The President tried to settle, and when he found they would not settle on his terms he settled on their terms. That is all there was to it.

In order that we may have the glorious privilege of bearing the burden of guaranteeing the territorial integrity and the political independence of every member of this league—which may grow indefinitely and include all the nations of the world—we generously and magnanimously agree, when we vote against the amendment proposed by the committee to the Shantung provisions, to ratify the Shantung outrage. We agree to do it; and then we put on record a self-accusing declaration, which simply adds to our infamy, when we say we recognize the infamy of it, but we vote to do it and we file the declaration that it is inexcusable that we should do it. If any other Senator wants to stand upon that record through the rest of his life, let him take his stand upon it. I will not stand upon it, treaty or no treaty, covenant or no covenant.

I agree with the Senator from Massachusetts that the suggestion that an amendment to the treaty will necessarily destroy it is mere fiction. It is a bugaboo to say that an amendment involves the resumption of the peace conference. The peace conference has never been dispersed; it is in session today; but, even if it were not, on our mere submission by cable to the chancelleries of the various high contracting parties an amendment would be accepted by their own Governments irrespective of their delegates to the peace conference, or they could instruct their delegates at the conference to accept it. But we are no more to touch this European-made thing than we are to touch the Ark of the Covenant. Everyone admits it is full of errors, and that this is the only chance we will have to correct them. The talk about taking it as it is and then fixing it as it ought to be is pure buncombe. Everybody knows that our chance to correct the errors in this document is now, and it is the only chance we will ever have.

Look at article 26 of the league covenant providing that amendments to the covenant shall take effect when ratified. There is no provision as to who shall propose amendments and no provision as to when they are to be acted upon; but there is the provision that before an amendment shall take effect it has got to be approved by the unanimous vote of all the powers having representation in the council and by a majority of all the powers represented in the assembly. The minute we propose an amendment Japan—and I say it without feeling toward her, for I have nothing against the Japanese people any more than I have against the Chinese people—Japan will say, of course, "Yes; we will vote for your amendment if you will admit our immigration to your country." Either the thing is unamendable, or we have got to surrender our domestic questions to foreign control. Any way you look at this thing, Mr. President, it is unwise for this country to entangle itself in it. We have nothing to gain. Nor is it our duty to agree to it.

I recall that for the past 30 years the Democratic Party has been inundating this country with the declaration that we have no constitutional power to tax our people to protect our own industries and our own laboring men, while now they are asserting the doctrine that we have the constitutional power, and that it is our international duty, to tax all our people, not for their benefit, but to raise armies and build navies to protect the territorial integrity and political independence of every member of the league in Europe, Asia, and Africa. What constitutional power have we to make a treaty to do any such thing as that? Is that one of the purposes defined by the Constitution of the United States for which we can tax the people of this country? Why should we assume such a burden? On which side shall we fight?

If one foreign nation attacks another, do you suppose that this country can be thrust into a war against one European power to protect the boundaries or political independence of another European power because some one man appointed by the

President of the United States, sitting in Geneva, happens to agree with the eight foreigners who are there that we should go to war? Do you suppose on such a question, the American people can be coerced to agree to the judgment of Col. House, if he should be the delegate? And if he should decide that we must fight Roumania, although we were in favor of Roumania? Do you suppose that such a decision could be carried into effect? If it could not be, we would break our contract. What is the use of making a contract and solemnly placing the great seal of this Nation upon it if we do not intend to keep it?

The Senator from Oklahoma [Mr. OWEN] yesterday, on the floor, made an eloquent speech in favor of the league of nations, in which he said he agreed with everything the President had done in connection with it, and said that if we would sign this document and agree to it we would never be called upon to take any action under it. In other words, it is a "mind cure." He wants us to sign this document promising to do these things because we will not be called upon to do them. Imagine an arrogant, determined, and powerful belligerent like Germany, and let the announcement be made that we are assuming this mighty obligation on the theory that we will not be called upon to perform it, how much of a deterrent do you suppose it would be to them when they contemplate another raid upon civilization, if they ever shall?

The President himself after a labored explanation, or attempted explanation, of article 10 to the committee at the White House conference entered into a disquisition as to the difference between a legal obligation and a moral obligation on our part to perform our contract. Mr. President, that is all sophistry; it must be swept aside. Everybody knows that if we guarantee to protect, or if we undertake the obligation to preserve, the territorial integrity of another nation we have got to perform that task, and we have got to perform it by the only means practicable; and if the territorial integrity of a foreign power is threatened by an armed force, the only way—and everybody knows it—to protect its boundary lines is by an opposing army. It is said that the council is merely to advise; but, as the President says, there is a compelling moral obligation for us to conform to the advice. And Congress will be put in the position then, after we have been in this league, if we get into it, unfortunately, for some years, and get so enmeshed with the complicated broils and conspiracies and intrigues of the Old World that we can not get out, of having to go ahead and follow the advice. Very likely the President will recommend to our delegate to agree with those foreign powers, and then we will have to raise our Army, and Congress will not be a free agent; but what a condition this country will be in!

As I say, you can not touch one of these foreign questions without making it at once a domestic question, and a domestic question which will haunt you at the polls, and paralyze your industries, and put the country upon every occasion to the terrific expense and risk of going through exactly the sort of experience that we had to go through when the Germans in the country were paralyzing our industries and blowing up our railroads and bridges and mills. That is merely an illustration of what is going to be our regular order of business if we enter this thing with an idea of performing our duties.

Oh, Mr. President, they say, "You are for war if you are not for this covenant." "Where is your constructive alternative?" the Senator from Mississippi quotes his illiterate correspondent from an unknown address in Green Street as saying. "Where is your constructive alternative?" Why, my constructive alternative is to do what Congress has already declared shall be done and what is declared to be the purpose of the country in the magnificent and comprehensive resolution proposed by the junior Senator from Pennsylvania [Mr. KNOX] and reported favorably by the Committee on Foreign Relations. Make your peace—the only thing that is delaying it is the insistence that this covenant and experiment and chimera shall be a part of it—make your peace and then, as we have already authorized, I believe, in an amendment to a naval appropriation bill, summon the nations of the world together to agree upon a plan; have an international congress to agree upon a plan for making and codifying and observing a code of international law. You can not shoot morality into people with 13-inch guns. Adopt section 5 of Senate resolution 76, submitted by Senator KNOX on June 10, as follows:

That, finally, it shall be the declared policy of our Government, in order to meet fully and fairly our obligations to ourselves and to the world, that the freedom and peace of Europe being again threatened by any power or combination of powers, the United States will regard such a situation with grave concern as a menace to its own peace and freedom, will consult with other powers affected with a view to devising means for the removal of such menace, and will, the necessity arising in the future, carry out the same complete accord and cooperation with our chief cobelligerents for the defense of civilization.

The present covenant is not a peace treaty. It is a "big stick" wielded by the five principal and allied powers over the subject nations of the world. It is nothing but a threat; and article 10, as the President himself says, is the heart of the threat. There are concealed behind it the menace of your potential armies and navies. They are to be summoned after you settle these questions of first, second, and third judgments upon "compelling moral obligations." There is your Army to be sent, and that is all there is to this league—that the five principal allied powers, represented one apiece upon a council sitting in foreign lands, with four others to be added practically at their dictation, for they will control it—those nine men, three times a triumvirate—are to sit there and by their machinations, in a star chamber as unknown to the public as the secret diplomacy that for nine months reigned uninterrupted in Paris, they are to issue their edicts to civilization; and upon what they say, not upon what Congress says, are human events to be decided.

The President says our protection is that it has to be unanimous. Very well. Suppose Col. House sits in the council there and the President of the United States orders him to agree with what the eight foreigners say shall be the diplomatic conduct of the relations of the United States of America, and he does agree, what are we going to do about it? The thing is done. The President himself knows how such things are done. Here is his view of it, from his book on "Congressional Government":

Nay, in many cases the President may not even know what the Senate's objections were. He is made to approach that body as a servant conferring with his master. His only power of compelling compliance on the part of the Senate lies in his initiative in negotiation, which affords him a chance to get the country into such scrapes so pledged in the view of the world to certain courses of action that the Senate hesitates to bring about the appearance of dishonor which would follow its refusal to ratify the rash promises or to support the indiscreet threats of the Department of State.

Why, it is the President that controls the foreign policy of this country under this scheme, and he controls it without responsibility to anybody; and if Col. House—if he be the unfortunate delegate selected to represent the President in this "star chamber" abroad—presumes to disobey the secret instructions of the President, off comes his head, and there would be no trouble in securing plenty of subservient gentlemen to go there and do what they are told, because the worst that can happen to them if they hear they are to be hung upon return to their own country is not to come, but to stay over there.

That is the position that the United States of America is asked to put itself in. That is the fruit of six months of foreign labor and toil and "matching of minds"!

Mr. President, we can always form a league. They claim that they have formed one over there now. Let them have it. This country does not need to have its boundaries protected. We do not ask Russia or Great Britain or France to preserve our political independence. When that is assaulted, the American people in their majesty and might will know how to defend it! But we are to devote the future of America to being a policeman for the rest of the world. Imagine the financial schemes that are in contemplation when the debts of bankrupt Europe come to be liquidated! They do not have to control Congress, these mighty men of finance, any more. They simply go to the President, or to the nine powers, and make their financial arrangements. Whether this war debt of the world is to be funded and imposed upon us is a matter we know nothing about. All these menaces stare us in the face. When the President went abroad to make this peace nobody had it in his mind that he was to return with any such proposition as this; and the pathetic thing about it is that all the good people who want peace seem to be satisfied with anything that is labeled "peace," "a league for peace." Many of them are for the league without looking to see what is in it or on what theory it is drawn or how it is going to work.

Mr. President, they have got to be saved from themselves, and it is our duty to do it. We know what is in this covenant, and we can imagine how it will work; and the Senators who have borne the abuse and who have suffered the ignominy that has been heaped upon them by good but deluded people, in my opinion, if they live a year, and we can keep out of this international contrivance, which I prophesy will blow up the first time any strain is put upon it in an emergency, will come into their reward, and a grateful Republic will say that again the Senate of the United States has saved the country.

Mr. HITCHCOCK. Mr. President, it has been suggested to me by the Senator from Idaho [Mr. BORAH], who objected to the former request for unanimous consent, that in a modified form it might be acceptable. I imagine that the Senate is about ready to vote; and I ask unanimous consent, in any event, that from now on speeches be limited to 15 minutes, and that no

Senator be allowed to speak more than one time—simply on this amendment, of course.

The PRESIDING OFFICER (Mr. McLEAN in the chair). Is there objection?

Mr. WATSON. Mr. President, my information is that there is but one other Senator on this side who desires to speak, and that is the Senator from Wisconsin, and after an arrangement and understanding that he was to speak I would not want to agree to that unanimous-consent request.

Mr. LENROOT. Does the Senator refer to this Senator from Wisconsin?

Mr. WATSON. No; I refer to the senior Senator from Wisconsin [Mr. LA FOLLETTE]. I have been informed that he is the one Senator upon this side who desires to speak. If that be true, he having told me that he did not wish to speak at great length—

Mr. HITCHCOCK. The Senator from Wisconsin is here.

Mr. WATSON. He is here and he can speak for himself, and he has said that he did not desire to speak at great length. Of course, that is up to him to decide, but until he shall decide, personally I do not feel at liberty to agree to the unanimous-consent request.

Mr. GERRY. Mr. President, after listening to the debate this afternoon, I do not feel that I can let the inference go out to the country that the people of Irish descent are disloyal. I know that I can speak for those in my own State against any proposition of that kind, for I know how loyal they have been right through this war, and I know that American history will show how the blood of people of Irish descent has been shed in every cause for which America fought. I resent, Mr. President, any such suggestion, and would speak further on the subject if it were not for the fact that I do not wish to delay a vote on this very important amendment.

Mr. FALL and Mr. WILLIAMS addressed the Chair.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. FALL. Mr. President, I have no intention of making a speech. I have not made a speech upon the Shantung proposition. I am a member of the Foreign Relations Committee and voted to report what is known as the Shantung amendment from that committee.

When the peace conference met, Mr. President, it was, among other things, to deal with the possessions of Germany in Europe outside of the boundaries fixed by the five principal allied and associated powers. It was then to deal with the overseas possessions of Germany—that is, German possessions out of Europe.

In dealing with the European possessions of Germany, article 118 of the present treaty was adopted. By the terms of that article Germany simply renounces any claim upon any territory outside of the geographic limits fixed by the treaty.

In renouncing her overseas possessions Germany in terms renounces the overseas possessions in favor of the five principal allied and associated powers. The determination of the powers was to deprive Germany of her possessions. The general disposition of those possessions in Europe was left, by the terms of the treaty, to treaties that thereafter were to be made. The disposition of the overseas possessions of Germany under the terms of the treaty was left to the disposition which might be made of such possessions by the five principal allied and associated powers.

Article 23 of the covenant of the league of nations does, in a conversational way, refer to probable future disposition or government of such overseas possessions. The object, then, of the representatives of the great powers seated at the peace table was attained when Germany made the renunciation. The possessions were thereafter to be dealt with.

When it came to the disposition of Shantung, however, there were two claimants, each of whom claimed that the principal allied and associated powers should force Germany to renounce specifically in its favor the Shantung possession.

The question of the disposition of Fiume was up for consideration. The President of the United States declined to join the commissioners or representatives of the other powers in the disposition of Fiume, and appealed to the Italian people over the heads of Orlando and Sonino. Those representatives of Italy at once left the peace conference. Japan up to that time had not taken part among the five powers. She was not one of the principal representatives who were arranging the terms of the peace treaty. She had taken part, or did take part thereafter, as one of the ten, but had not taken part as one of the five. When Italy's representatives walked out because of the action of the President of the United States it is well understood that pressure was immediately brought to bear upon Mr. Wilson to secure the attendance of Japan for the purpose of enabling them finally to constitute their league, and as Japan walked

into the door, she walked into the conference chamber with the word "Shantung" upon her lips. Shantung was the price of the entrance of Japan, and it was paid.

Mr. President, as a member of the Committee on Foreign Relations, charged by the Senate with the duty of considering the treaty, I had, first, by my vote, to decide whether the overseas possessions of Germany should be taken from her. I did not hesitate for a moment, of course, in determining that she should be deprived of her overseas possessions; and under the general terms of the treaty, if no special disposition of any of them was made in the treaty itself, the overseas possessions become the property of the five allied and associated powers, and under the decisions of the Supreme Court of the United States in the Insular cases and the Four Diamond cases we took a one-fifth undivided interest in those properties.

Having decided, first, in my own mind, that the action of the peace commission or the delegates in depriving Germany of her overseas possessions should be sustained, it then became necessary for me to decide, as a representative of a coordinate branch of the Government engaged in treaty making, as to whether Shantung should be left with the other overseas possessions of Germany in the hands of the five allied and associated powers or should be given specifically to any other power without awaiting the further treaty provided under article 119.

This being the case, I looked at the proposition from the standpoint of what should be done with it; whether we, having a one-fifth interest, should dispose of it to any particular power hereafter or at the present time. Under the terms of the treaty I conceived it my duty to cast my vote for the disposition of it at this time, and it became necessary for me to determine whether, in so doing, we should approve the action of the President of the United States in deeding it to Japan. In my judgment it belongs to China, and I voted to return it to its owner, and I shall sustain that vote by my vote upon the pending amendments in the Senate.

Mr. WILLIAMS. Mr. President, if the Senator had voted to return Shantung to its owner, he would have voted to return it to Germany, because it happened that Germany was the owner when this war began. So all that labored argument falls to the ground.

Mr. President, I want to put into the RECORD a letter addressed to Hon. FRANK B. BRANDEGEE, United States Senate, being a copy of a letter sent October 8, 1919, by the League to Enforce Peace, to the Senator from Connecticut, with various names signed. Before I insert it I will say that I submitted it to the Senator from Connecticut. There is nothing personal in it. It is a mere matter of a difference of opinion about the pending question.

There being no objection, the matter was ordered to be printed in the RECORD, as follows:

OCTOBER 8, 1919.

The Hon. FRANK B. BRANDEGEE,
United States Senate, Washington, D. C.

DEAR SIR: According to press reports, you told the Senate yesterday that those who contribute money to the funds raised by the League to Enforce Peace for the purpose of arousing public sentiment in favor of the league of nations belong to the class of which Col. Sellers said "one is born every minute."

Your remark applies to more than 7,000 persons in every walk of life, residing in every State of the Union. We are sending you herewith the names and addresses of a few of them.

Would you be willing to repeat to these men personally the opinion of them you expressed in the Senate Chamber?

We are sending a copy of this letter to the newspapers so that the contributors to this fund who have incurred your displeasure may be assured that they are in good company.

Here is a partial list of these contributors: George W. Wickersham, John G. Agar, Robert Fulton Cutting, Eugene Delano, Cleveland H. Dodge, Darwin P. Kingsley, James K. Hackett, Arthur Curtiss James, Adolph Lewisohn, Sam A. Lewisohn, Alfred E. Marling, Emerson McMillin, William Fellowes Morgan, Henry Morgenthau, Charles D. Norton, William Church Osborn, William L. Saunders, Finley J. Shepard, Oscar Straus, Percy S. Straus, Henry W. Taft, Felix M. Warburg, Judge Henry G. Ward, New York City; Dr. Alexander Graham Bell, Washington, D. C.; William Dudley Foulke, Richmond, Ind.; E. D. Hulbert, Julius Rosenwald, Chicago, Ill.; Robert T. Whitehouse, Portland, Me.; Edward A. Filene, Boston, Mass.; Dr. A. Lawrence Lowell, Cambridge, Mass.; W. Murray Crane, Dalton, Mass.; Harry A. Garfield, Williamstown, Mass.; E. B. Caulkins, Detroit, Mich.; Charles S. Pillsbury, Minneapolis, Minn.; W. T. Kemper, Kansas City, Mo.; W. C. D'Arcy, Festus, Mo.; Wade, St. Louis, Mo.; Willis E. Reed, Madison, Neb.; Louis Bamberger, Newark, N. J.; C. H. Kelsey, East Orange, N. J.; Thomas A. Edison, Austen Colgate, Orange, N. J.; Edward V. Welch, Niagara Falls, N. Y.; V. Everitt Macy, Scarborough-on-Hudson, N. Y.; Homer H. Johnson, W. G. Mather, Cleveland, Ohio; Vance C. McCormick, Harrisburg, Pa.; N. W. Ayer & Son, George Burnham, Jr., Cyrus H. K. Curtis, Thomas DeWitt Cuyler, Samuel S. Fels, Philadelphia, Pa.; Leon Falk, William Thaw, Pittsburgh, Pa.; H. St. G. Tucker, Lexington, Va.; W. H. Cowles, Spokane, Wash.; Edward W. Frost, Milwaukee, Wis.; Judge George Gray, Wilmington, Del.

Connecticut: Frederick S. Curtis, Brookfield Center; Rev. Chauncey B. Brewster, Edward Warren Capen, Louis Richmond Cheney, Robert Baird Riggs, Hartford; Morris Barker Crawford, William North Rice, Middletown; William Howard Taft, Rev. Andrew W. Archibald, Winthrop Grant Bushnell, Irving Fisher, Henry W. Farnam, Frank C.

Porter, Judge Edwin S. Thomas, Isaac M. Ullman, New Haven; Thomas B. Doolittle, Pine Orchard; Arthur Reed Kimball, Irving H. Chase, Waterbury.

(Signed) LEAGUE TO ENFORCE PEACE,
WILLIAM H. SHORT, Secretary.

Mr. WILLIAMS. In addition to that, Mr. President, I desire to insert an article entitled, "Houston Replies to BORAH. Declares Charges are 'False Both in Fact and Implication.'" I have not had an opportunity to see the Senator from Idaho [Mr. BORAH], but there are three lines that I think ought to be stricken out, because they might be regarded as personal, and I have stricken them out.

There being no objection, the matter referred to was ordered to be printed in the RECORD, as follows:

[The New York Times, Oct. 11, 1919.]

HOUSTON REPLIES TO BORAH—DECLARES CHARGES ARE "FALSE BOTH IN FACT AND IMPLICATION."

Herbert S. Houston, national treasurer of the League to Enforce Peace, issued the following statement last night in reply to Senator BORAH's attack on the league in the Senate on Thursday:

"Senator BORAH again places the League to Enforce Peace in his debt by advertising our necessities. The last time he attacked the league in the Senate he brought to our treasury several thousand dollars from friends of whom we had never heard.

"While he was fulminating on the floor of the Senate against the league of which the recent Republican President, Mr. Taft, is the head, three other leading Republican members of our executive committee, President Lowell, of Harvard, Mr. Oscar S. Straus, and Mr. Hamilton Holt were in open and friendly conference with Senator LODGE. A few blocks away, in the District National Bank Building, was our sinister and corrupting press bureau, in charge of one of the most distinguished journalists in the United States, Dr. Talcott Williams, long Dean of the Pulitzer School of Journalism at Columbia, and a lifelong Republican.

"Let Senator BORAH ask any Washington correspondent, or all of them, if Dr. Williams, or his associate, Mr. Rickey, has ever offered anything for publication that infringed in the slightest degree on the highest ethics of their profession.

"One thing the Senator said was true—that the League to Enforce Peace was spending a good deal of money. It is spending it for the distribution of millions of pamphlets by Mr. Taft, Herbert Hoover, Samuel Gompers, and scores of other patriotic leaders of American thought who believe that this country will fall in its plain duty unless it joins the league of nations.

"As to the names of the 10,000 subscribers who have made possible this broad campaign of popular education, they are available for Senator BORAH the very moment he will agree to have them published in the CONGRESSIONAL RECORD. This is a standing offer we have had before the Senator for three months."

Mr. LA FOLLETTE. Mr. President, I shall take only a few minutes of the time of the Senate in discussing this amendment. The question is so simple and so plain that no one can misunderstand it. Under articles 156, 157, and 158 of the treaty Germany is compelled to agree to renounce to Japan all right, title, and interest which she theretofore had in the Province of Shantung, China, and to do those things necessary to make such transfer of interest. The Province of Shantung consists of a territory comprising nearly 60,000 square miles—a trifle larger than England—and has a population of nearly 40,000,000 people.

The interest and rights Germany had in this Province were acquired by the treaty of 1898, which Germany forced upon China, and consisted of certain rights in the Bay of Kiaochow in the nature of sovereign rights and mining and railroad rights in the entire Province. All such rights, however, were in the nature of a mere lease for a term of years. Up to the time in 1914, early in the war, when Germany was driven out of the Province by Japan, the Germans had strictly lived up to the terms of the treaty, and had not attempted to overrun or occupy the whole Province. As soon as Japan wrested it from China, however, she at once took steps to make it as difficult as possible to dispossess her.

Dr. John Ferguson, legal adviser to the President of the Chinese Republic, in an address in New York City, Sunday, October 12 last, as reported in the papers of the following day, said:

Japan has been doing everything to make it difficult to dispossess it. The railroads have been overrun with Japanese employees, and there are now between fifty and one hundred thousand Japanese in the Province, whereas prior to 1914 the total German population, including the garrison, was only 3,000.

Now, it is in this situation that the treaty proposes to compel Germany to turn over to Japan against China's objections and protests the rights once held by Germany in the Province, while the committee amendment provides in effect that they shall remain with China.

That is the issue to be determined and settled by our vote this afternoon.

I say remain with China, because there is where those rights unquestionably are now. When China entered the war against Germany, of course Germany's rights and property interests in China reverted to China. But that isn't all. When Japan made her demands upon Germany in 1914 preceding her declaration of war against Germany, it was simply that the German rights

in the Province should be surrendered with a view to their return to China. So that when in 1914 Japan drove the Germans out of this territory she did not succeed and did not pretend to succeed to the German rights. Japan and China were not at war. Japan could only succeed to the German rights with the consent of China after Germany had been evicted. Germany was out of possession, but her rights continued, though in abeyance, under the treaty of 1898 until China and Germany became involved in war with each other in 1917, when, of course, German rights, interests, and property in China lawfully became the property of China.

The question simply is, therefore, whether or not we shall become a party to a gigantic theft of territory and valuable rights from China, a sister Republic, an ally in the late war, for the benefit of the most despotic Government on earth.

It is fundamental in the law of contracts, whether between individuals or nations, that no one has power to convey rights which do not belong to him.

We have not a scintilla of right or title to anything in the Province of Shantung.

If so, where did we acquire it? If not, how can we convey it or how can we join in a conveyance? Neither for that matter has Germany or any of the other powers joining in this treaty.

When we assume to join in conveying or in compelling Germany to go through the form of conveying the territory and rights mentioned in the Province of Shantung to Japan it only means that we have the power in conjunction with our late Allies or associates in the war to take by force that which belongs to China and transfer it to Japan, not that we or they have any title which we, under any law recognized in civilized society, can convey to anybody.

If China had the power to resist this rape we would never think of making the assault upon her. If China had the power to resist the ravishment of her title to her territory we would never think of joining with the Allies in committing this infamous crime.

If we become a party to this treaty provision our conduct is no better than that of the armed highwayman who holds up an unarmed and defenseless traveler, robs him of his purse, and then passes it to a confederate.

Volumes have been written about the Shantung provision of this treaty and weeks have been spent in debating it. And out of all the discussion one fact emerges, admitted and recognized by everybody: We have nothing in the Province of Shantung to convey to anyone. If we have, where did we get our title to it? We do not own or have an interest in a foot of territory there. We have not any sort of title, right, or interest in any mine or any railroad or in anything else there. Neither has Germany any shadow of interest in anything in the Province. When we join in compelling Germany to put on record a conveyance of rights in Shantung we are in effect declaring that Germany has some interest there which she can convey. We know that is false. When we join in directing her to make that conveyance to Japan we are guilty of a double deception. We pretend, first, that she has something to convey, and we know that she has not. We assert, second, that whatever interest she has to convey it is right and lawful that she should convey it to Japan. That also known to be absolutely false.

I am utterly unable to follow the reasoning of the distinguished Senators here who admit the criminal nature of the act to which we become a party by rejecting this amendment and signing the treaty, but who say nevertheless that it has gone so far we can accomplish nothing by refusing to become a party to the crime.

There I take issue with them. The crime has not been fully consummated. I believe that if the United States would withdraw at this point, the other parties would never venture to consummate the crime against China. But if they should go forward in this nefarious proceeding, that is no reason why we should join with them in it.

There is a fundamental fallacy which underlies all the reasoning of the Senators who say that it is too late for us to accomplish anything now. Their argument is that the treaty is already in effect; that whether the conveyance by Germany to Japan is effective now or not, it will be so when Japan formally ratifies the treaty, which will be before the Senate passes upon it—in other words, that the conveyance from Germany to Japan is or will be effective and we can not prevent it.

Now, the fundamental error, as I believe, in that reasoning lies in the assumption that Germany has something to convey to Japan in the Province of Shantung.

Suppose that Great Britain, France, Italy, and Japan should make a treaty with Germany, or suppose they had written into this treaty a provision that Germany should make a bill of sale of all Germany's property in this country which we took over

properly and lawfully under international law as soon as we became involved in war with Germany, does anyone suppose that that bill of sale would be worth the paper it was written upon? It would be a fraud upon its face. It would convey nothing. It would be of no more value than blank paper. That is precisely the situation concerning the conveyance or cession which Germany, under compulsion from the Allies, is going to make to Japan of China's rights in Shantung.

The whole trouble with the reasoning of the Senators is that they fail to look through the form of the transaction to the substance of it. We might just as well leave Germany out of it, so far as the real substance of the transaction is concerned. We might just as well pretend that France or Great Britain or some other country succeeded to Germany's rights in Shantung, and that that country should make the conveyance to Japan.

As I have said, and say again, in 1914 Germany was driven out of every foot of this territory. It had possession or control of absolutely nothing there. This was done by Japan in war with Germany, but as a friendly act to China, declared to be for the purpose of restoring to China the rights which everyone knew Germany forced her to yield up in the treaty of 1898.

It is not pretended that Japan acquired by her action the German rights, for if that were the pretense there would be no occasion to write into this treaty the provision that Germany shall make conveyance to Japan.

Then, in 1917, the latent rights to the territory which may have still remained in Germany were absolutely wiped out when Germany and China became involved in war with each other. So that I say Germany from that time forth had no more rights to convey in the Province of Shantung than we or any other country had.

Therefore, when gentlemen say that the crime has already been consummated because Germany's conveyance under this treaty has been or soon will be made, they miss the whole point involved. This cession from Germany to Japan gives legal title to nothing, because Germany has no title to it. The act which this treaty requires of Germany is a barren act, an empty form. There is no real difference so far as the title of China to her property is concerned after Germany has made this conveyance than before she made it. The conveyance does not effect a change of title. It does not affect the ownership, because Germany has nothing to convey. Moreover, the lease, which was all Germany ever had secured from China under the treaty of 1898, provides that Germany's interest can not be assigned. (See Art. V, treaty of 1898.)

The real substance of this transaction is the agreement between Great Britain, France, Italy, and Japan to carve out of China a large area and valuable rights and turn them over to Japan. That is the real thing that is being done. That is the crime that is about to be consummated, and that is the crime I say the United States can prevent by refusing to be made a party to it.

This partition of China simply rests upon force, and it involves a robbery so barefaced that I do not believe the nations involved will dare go through with it if the United States brands the transaction for what it really is and refuses to become a party to it.

By rejecting this provision of the treaty and adopting this amendment we will halt the nations engaged in this assault upon China's sovereignty and territorial integrity and cause them to reconsider their action; while it is certain that if we ratify this treaty with this provision in it, there will be no possible reason for the other nations ever to reconsider their action, and, more than that, we will ourselves have become a party to the very crime we so severely condemn.

Ah! but Senators say, we will frame a reservation by which we will condemn this wrong and thereby keep our own hands clean of this infamy. A reservation will either amount to an amendment or it will amount to nothing—except to record a confession of our own guilt.

The reservation which I have heard suggested here is to the effect that a statement will be made in the resolution ratifying the treaty that the United States will not assent to articles 156, 157, and 158, relating to Shantung, and will preserve full liberty of action respecting that matter. Now, I submit to the Senators whether it would not be far better to vote for the committee amendment, which is perfectly clear, than to attempt to confuse the treaty with any such provision as that suggested.

A treaty between nations like a contract between individuals requires a meeting of the minds upon all the propositions involved in the contract, and if there is not such a meeting of minds there is no contract between individuals and there is no treaty between nations. Suppose A and B are about to enter into a contract. The proposed contract is drawn up. A signs it. It is presented to B for his signature. He signs it but before

doing so adds a clause to it saying that "as to provisions 1, 2, and 3"—possibly the most important provisions in the contract—"I am not bound, and shall preserve full liberty of action respecting those matters." Does anyone pretend that that would be a contract? Does anyone pretend that if allowed to rest in that form its effect would be other than to cause controversy between the parties to it? And yet, sir, I do not see wherein the action of the "mild" reservationists, so called in the Senate, differs from the action I have supposed in the case of individual parties to a private contract.

I believe, sir, that it is far better to support the committee amendment which leaves no doubt as to the position of the United States, and, whether we prevent this wrong or not, such action would show that we have done everything in our power to prevent it, and we can never be accused in any way of condoning or being a party to it.

Mr. President, no one can know, but I believe, that if we adopt the pending amendment the allied powers will be forced to halt in their course; they will be forced to reconsider their action and accept the treaty as amended.

A righteous declaration made here to-day will thrill the lovers of liberty in every capital on the face of the earth.

It will loosen the tongues of mankind in one universal acclaim of approval.

Even the allied powers can not brave the verdict of the world when once it is made articulate.

The Imperial Government of Japan is not yet ready to challenge the white civilization.

Adopt this amendment and the moral power of that act alone will compel Great Britain, France, and Italy to reconsider ratification of this treaty.

The United States is the very corner stone of this peace structure as it has been planned.

Adopt this amendment and the crime of Shantung will never be consummated.

And, sir, that crime is such an odious thing that it must be literally effaced from any instrument to which this Government puts its hand and seal.

There is no middle course.

These reservation Senators are on record denouncing the act as the "rape of China." Are they prepared to say to Japan and to the consenting allies, "You may consummate this unspeakable crime, but it must be with our disapproval. We know your brutal design; you have a notorious record which proclaims your fell purpose; but you will please take notice now that we denounce this infamy as 'highly improper.'"

That, sir, does not represent the moral sense of the American people on the issue raised by this amendment.

Mr. LODGE. Mr. President, hoping to get an immediate vote on the pending amendment, I make the point of no quorum.

The PRESIDING OFFICER. The point of no quorum having been made, the Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Gore	McCumber	Simmons
Ball	Gronna	McKellar	Smith, Ariz.
Bankhead	Hale	McLean	Smith, Md.
Beckham	Harding	McNary	Smoot
Borah	Harris	Moses	Spencer
Brandegee	Harrison	Myers	Stanley
Calder	Henderson	Nelson	Sterling
Capper	Hitchcock	New	Sutherland
Chamberlain	Johnson, Calif.	Newberry	Swanson
Colt	Jones, N. Mex.	Norris	Thomas
Culberson	Jones, Wash.	Overman	Townsend
Cummins	Kellogg	Owen	Trammell
Curtis	Kendrick	Page	Underwood
Dial	Kenyon	Penrose	Wadsworth
Dillingham	Keyes	Phelan	Wash. Mass.
Fall	King	Phipps	Wash. Mont.
Fernald	Kirby	Pittman	Warren
Fletcher	Knox	Pomerene	Watson
France	La Follette	Reed	Williams
Frelinghuysen	Lenroot	Robinson	Wolcott
Gay	Lodge	Sheppard	
Gerry	McCormick	Sherman	

The VICE PRESIDENT. Eighty-six Senators have answered to the roll call. There is a quorum present.

In accordance with the Chair's construction of the unanimous-consent agreement, if there is no further discussion, the Senate will proceed to vote upon the committee amendments to section VIII, articles 156, 157, and 158, embracing six amendments, commonly known as the Shantung amendments.

Mr. HITCHCOCK. On that I ask for the yeas and nays.

The yeas and nays were ordered, and the Secretary proceeded to call the roll.

Mr. FERNALD (when his name was called). I have a general pair with the junior Senator from South Dakota [Mr. JOHNSON]. In his absence I withhold my vote. If at liberty to vote, I would vote "yea."

Mr. JOHNSON of California (when his name was called). I have a pair with the senior Senator from Virginia [Mr. MARTIN]. I transfer that pair to the junior Senator from West Virginia [Mr. ELKINS] and vote "yea."

Mr. SWANSON (when Mr. MARTIN's name was called). My colleague [Mr. MARTIN] is detained on account of illness. His pair has been announced. If he were present and at liberty to vote, he would vote "nay."

Mr. OWEN (when his name was called). I am paired with the Senator from New Jersey [Mr. EDGE]. He would vote, I understand, "nay" on these textual amendments. Therefore I am at liberty to vote. I vote "nay."

Mr. DIAL (when the name of Mr. SMITH of South Carolina was called). My colleague the Senator from South Carolina [Mr. SMITH] is detained on account of illness in his family. He is paired with the Senator from South Dakota [Mr. STERLING]. If my colleague were here and at liberty to vote, he would vote "nay."

Mr. STERLING (when his name was called). I am paired with the senior Senator from South Carolina [Mr. SMITH]. Under the announcement of his colleague as to how he would vote if present, I am at liberty to vote. I vote "nay."

The roll call was concluded.

Mr. GERRY. I desire to announce the unavoidable absence of the junior Senator from South Dakota [Mr. JOHNSON] on account of illness in his family. His general pair has already been announced. If he were present, he would vote "nay."

The result was announced—yeas 35, nays 55, as follows:

YEAS—35.

Ball	Frelinghuysen	McCormick	Polindexter
Borah	Gore	McLean	Reed
Brandeggee	Gronna	Moses	Sherman
Calder	Harding	New	Sutherland
Capper	Johnson, Calif.	Newberry	Wadsworth
Curtis	Jones, Wash.	Norris	Walsh, Mass.
Dillingham	Knox	Page	Warren
Fall	La Follette	Penrose	Watson
France	Lodge	Phipps	

NAYS—55.

Ashurst	Henderson	Nelson	Smith, Md.
Bankhead	Hitchcock	Nugent	Smoot
Beckham	Jones, N. Mex.	Overman	Spencer
Bamberlain	Kellogg	Owen	Stanley
Colt	Kendrick	Phelan	Sterling
Culberson	Kenyon	Pittman	Swanson
Cummings	Keyes	Pomerene	Thomas
Dial	King	Ransdell	Townsend
Fletcher	Kirby	Robinson	Trammell
Gay	Lenroot	Sheppard	Underwood
Gerry	McCumber	Shields	Walsh, Mont.
Hale	McKellar	Simmons	Williams
Harris	McNary	Smith, Ariz.	Wolcott
Harrison	Myers	Smith, Ga.	

NOT VOTING—6.

Edge	Fernald	Martin	Smith, S.C.
Elkins	Johnson, S. Dak.		

So the amendments were rejected.

Mr. LODGE. I give notice that at the proper time, after the committee amendments are disposed of, I shall move to strike the Shantung section from the treaty. I ask that the reading of the treaty be continued.

The Secretary resumed the reading of the treaty, at the top of page 210, and read as follows:

"Section II.

"NAVAL CLAUSES.

"Article 181.

"After the expiration of a period of two months from the coming into force of the present Treaty the German naval forces in commission must not exceed:

"6 battleships of the *Deutschland* or *Lothringen* type,

"6 light cruisers,

"12 destroyers,

"12 torpedo boats,

or an equal number of ships constructed to replace them as provided in Article 190.

"No submarines are to be included.

"All other warships, except where there is provision to the contrary in the present Treaty, must be placed in reserve or devoted to commercial purposes.

"Article 182.

"Until the completion of the minesweeping prescribed by Article 193 Germany will keep in commission such number of minesweeping vessels as may be fixed by the Governments of the Principal Allied and Associated Powers.

"Article 183.

"After the expiration of a period of two months from the coming into force of the present Treaty the total personnel of the German Navy, including the manning of the fleet, coast defences, signal stations, administration and other land services, must not

exceed fifteen thousand, including officers and men of all grades and corps.

"The total strength of officers and warrant officers must not exceed fifteen hundred.

"Within two months from the coming into force of the present Treaty the personnel in excess of the above strength shall be demobilized.

"No naval or military corps or reserve force in connection with the Navy may be organized in Germany without being included in the above strength.

"Article 184.

"From the date of the coming into force of the present Treaty all the German surface warships which are not in German ports cease to belong to Germany, who renounces all rights over them.

"Vessels which, in compliance with the Armistice of November 11, 1918, are now interned in the ports of the Allied and Associated Powers are declared to be finally surrendered.

"Vessels which are now interned in neutral ports will be there surrendered to the Governments of the Principal Allied and Associated Powers. The German Government must address a notification to that effect to the neutral Powers on the coming into force of the present Treaty.

"Article 185.

"Within a period of two months from the coming into force of the present Treaty the German surface warships enumerated below will be surrendered to the Governments of the Principal Allied and Associated Powers in such Allied ports as the said Powers may direct.

"These warships will have been disarmed as provided in Article XXIII of the Armistice of November 11, 1918. Nevertheless they must have all their guns on board.

"BATTLESHIPS.

"Oldenburg.	Posen.
"Thuringen.	Westfalen.
"Ostfriesland.	Rheinland.
"Helgoland.	Nassau.

"LIGHT CRUISERS.

"Stettin.	Stralsund.
"Danzig.	Augsburg.
"München.	Kolberg.
"Lübeck.	Stuttgart.

and, in addition, forty-two modern destroyers and fifty modern torpedo boats, as chosen by the Governments of the Principal Allied and Associated Powers.

"Article 186.

"On the coming into force of the present Treaty the German Government must undertake, under the supervision of the Governments of the Principal Allied and Associated Powers, the breaking-up of all the German surface warships now under construction.

"Article 187.

"The German auxiliary cruisers and fleet auxiliaries enumerated below will be disarmed and treated as merchant ships.

"INTERNED IN NEUTRAL COUNTRIES.

"Berlin.	Seydlitz.
"Santa Fé.	Yorck.

"IN GERMANY.

"Ammon.	Fürst Bülow.
"Answald.	Gertrud.
"Bosnia.	Kigoma.
"Cordoba.	Rugia.
"Cassel.	Santa Elena.
"Dania.	Schleswig.
"Rio Negro.	Möwe.
"Rio Pardo.	Sierra Ventana.
"Santa Cruz.	Chemnitz.
"Schwabau.	Emil Georg von Strauss.
"Solingen.	Habsburg.
"Steigerwald.	Meteor.
"Franken.	Waltraute.
"Gundomar.	Scharnhorst.

"Article 188.

"On the expiration of one month from the coming into force of the present Treaty all German submarines, submarine salvage vessels and docks for submarines, including the tubular dock, must have been handed over to the Governments of the Principal Allied and Associated Powers.

"Such of these submarines, vessels and docks as are considered by the said Governments to be fit to proceed under their own power or to be towed shall be taken by the German Government into such Allied ports as have been indicated.

"The remainder, and also those in course of construction, shall be broken up entirely by the German Government under

the supervision of the said Governments. The breaking-up must be completed within three months at the most after the coming into force of the present Treaty."

Mr. ROBINSON. I ask unanimous consent to have printed in the RECORD an editorial published in the Arkansas Methodist urging the ratification of the treaty.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

[From the Arkansas Methodist, Oct. 2, 1919.]

"ACT! ACT! ACT!"

"Shall last November's peans and jubilation be for naught? Russia is a red riot. Roumania and her neighbors still fight. Turkish outrages yet persist. Italy is almost in the throes of revolution. France fumes and frets. Great Britain's Irish and labor troubles threaten stable government. Unrest in India and Egypt menace the British Empire. The United States seethes with artificially induced discontent. The powers that fiercely fronted the Teutonic terror are crumbling to pieces like a wall of sand.

"Germany has her troubles, but Germany, less wasted than any other European power, Germany rapidly coalescing and recuperating, may by a sudden turn reinstate the Hohenzollerns, and, thirsting for revenge, mobilize her forces and spring, tiger-like, upon her foolish foes. If Germany could direct the disintegrating and dissolving forces of her former enemies, she could not work a more pleasing program.

"Again and again in history the vanquished have recuperated and reorganized while the victors quarreled or lolled at ease, and at the strategic moment the conquered have become conquerors. Shall history repeat its tragedies on a larger scale?

"If well-ordered and stable governments are not maintained among the Entente nations, in six months one of two things may easily happen: (1) The German Imperial Government may be restored and her disorganized enemies brought to their knees; or (2) the forces of Socialism and Bolshevism may, through industrial warfare, grasp temporary authority in all the nations.

"The proposed peace treaty involving the league of nations is a very human document. It is far from perfection. But who of all its critics could in the contending currents have constructed a better pact? It or its equivalent alone to-day can as a political instrumentality still the tempest and restore order. Grant that Woodrow Wilson was not tactful in dealing with the Republicans or in handling the Senate. Recognize, if you will, his obsession of self-sufficiency. Imagine, if necessary, that he has further presidential aspirations. None of these things change the perilous situation or offer any hope of a better document. In advocating the ratification of the treaty without amendment, whether he is a good man or a bad man, a statesman or a demagogue, a wise man or a fool, he is advocating the only political expedient which promises immediate relief from the menace of Teutonic domination or world revolution.

"When men are surrounded by bloodthirsty savages intent upon their destruction, they do not usually debate technicalities of organization nor the honor which might come to one of their number if he should lead them to victory.

"Those who pose as supreme Americans and argue that safety first for their own America is the only patriotism are as foolish as the householder who by sprinkling his own roof in the midst of a general conflagration fails to cooperate with those who must have his aid to put out the surrounding fire. He who seeks only his own safety will perish, and all his goods with him. He who helps his imperiled neighbors may save himself in saving them. America can not isolate herself. She is in the world conflagration, and walls a thousand cubits high can not withstand the fierce fire. America must help extinguish the whole fire or burn with the helpless of earth.

"We do not prophesy; but we point out imminent possibilities. Can the Senate of the United States afford to quibble over imaginary dangers when world catastrophe momentarily threatens? Can any Senator, whether Democrat or Republican, for personal or party profit, dare to face humanity if the impending calamity overwhelms our distracted world?

"Can Congress as a whole stand acquitted at the bar of God if, by paltering and procrastinating, they fail to provide the necessary laws and tribunals to control the revolutionary forces of America which, foolishly or criminally agitating, seek to destroy our civilization? No Congress ever had such responsibility. If there are wise and good and courageous men in our Federal Legislature, the tremendous issues of the day challenge them to constructive action. We are not standing still, waiting for the Senate to ratify and Congress to legislate; we are rushing toward the very verge of a chasm and are barely holding back the mad forces which would plunge us headlong to the bottom. It is time to throw selfish caution to the winds and

become patriots. The next 90 days are more momentous than the corresponding period of last year, because America, organized and determined, even temporarily defeated, would never have given up the fight, while now, lacking sane leadership, we are little better than a seething mob.

"Senators, Congressmen, it is not the mute pyramids of the past that look down upon you, but helpless humanity looks up through blood and tears and begs you to do your duty.

"O Jehovah, God of Hosts and God of the weak, give vision and courage and power to those upon whom the safety of Thy children rests."

CONTROL OF FOOD PRODUCTS.

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the concurrent resolution (S. Con. Res. 12) authorizing the Clerk of the House, in the enrollment of the bill (H. R. 8624) known as the food-control bill, to make certain corrections, which was, in line 8 of the second paragraph of section 106 of the bill as agreed upon in conference, to strike out the oblique line and the word "or" thereafter.

Mr. GRONNA. I move that the Senate concur in the amendment of the House.

The motion was agreed to.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 5 o'clock and 45 minutes p. m.) the Senate, as in legislative session, adjourned until to-morrow, Friday, October 17, 1919, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

THURSDAY, October 16, 1919.

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

Eternal God, we would approach Thee in the spirit of Him who spake as never man spake, who lived as never man lived, who died the world's greatest hero, and who taught us when we pray to say: Our Father which art in heaven, hallowed be Thy name.

Thy kingdom come. Thy will be done in earth, as it is in heaven.

Give us this day our daily bread.

And forgive us our debts, as we forgive our debtors.

And led us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The Journal of the proceedings of yesterday was read and approved.

PERMISSION TO ADDRESS THE HOUSE.

Mr. BLAND of Missouri. Mr. Speaker—

Mr. CANNON. Mr. Speaker, will the gentleman withhold for a moment for me to make a request? Mr. Speaker, I ask unanimous consent that when the vocational bill is taken up again I may have 40 minutes in which to address the House. I think this is the only request I have ever made in my somewhat lengthy service.

The SPEAKER. The Chair was not sure that he understood the gentleman, but the Chair understood the gentleman to ask that when the vocational bill is again taken up he may have 40 minutes in which to address the House in committee. Is that correct?

Mr. CANNON. Yes.

The SPEAKER. Is there objection?

Mr. BANKHEAD. Reserving the right to object, does the gentleman expect to use that time in opposition to this particular bill?

Mr. CANNON. I do.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

When the House adjourned yesterday the previous question had been ordered on the passport bill.

QUESTION OF PRIVILEGE.

Mr. WINGO. Mr. Speaker, when the House adjourned last evening the gentleman from Ohio [Mr. FESS] had the floor on the question of privilege which I had raised. As I understand, the gentleman from Ohio does not care to submit anything further on that, and, as I understand, the Speaker is inclined to think this is not a matter of privilege, and at the suggestion of the Speaker I desire to ask unanimous consent to speak for five minutes, in which I want to discuss one or two statements made by the gentleman from Ohio, so as to get the record straight.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to speak for five minutes. Is there objection?

Mr. ROGERS. Mr. Speaker, reserving the right to object, as there is no matter of privilege in it, does the gentleman object to deferring his request until we pass the pending bill?

Mr. WINGO. Yes; and my reason for it is this: It will only take five minutes, and will let it come in immediately after the debate and the proceedings of last night.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WINGO. Mr. Speaker, I shall briefly recapitulate my contention, so that Members who were not present will understand. The rules of the House specifically provide that the rules of the House shall control the action in the Committee of the Whole and the Committee of the Whole House on the state of the Union wherever applicable. The rules of the House specifically provide that after the roll has been once called, the Clerk shall call the names of Members not answering on the first roll call. Now, the gentleman from Ohio [Mr. Fess], chairman of the committee, based his decision upon the decision of Mr. Speaker Crisp in 1894. If Members of the House will investigate that decision, they will find that Mr. Speaker Crisp rendered that opinion offhand. It was not challenged. It was immaterial at the time, and there has not been any discussion I have been able to find, for the reason that this is the only time that I know of that it has ever been raised. Now, I have investigated, the older Members of the House having helped, as to when the custom first grew up. The gentleman from Ohio stated last evening it was a practice of recent years, since the House Office Building was built. He is in error in that. In 1880 the insistence of Members was such that Mr. Blackburn, of Kentucky, chairman of the Committee on Rules, brought in certain amendments to the rules, including one which provided for this second roll call. He suggests that the second call is only upon a "call of the House." The rule is very clear, Mr. Speaker; it says upon "every roll call." That includes any roll call, because there is no rule of the House governing the call of rolls in the committee other than the rule that the rules of the House shall control, because paragraph 8 of section 23 specifically says that the rules of the House shall control. But the gentleman says that section 841 of the manual states specifically that in the Committee of the Whole the roll is called but once. The gentleman is in error, and in order to get it in the RECORD I will read section 841, so that the House may see that the gentleman is incorrect in his quotation of that rule.

Paragraph 841 reads as follows:

Whenever a Committee of the Whole House or of the Whole House on the state of the Union finds itself without a quorum, which shall consist of 100 members, the Chairman shall cause the roll to be called, and thereupon the committee shall rise, etc.

That which the gentleman refers to under section 841 is the citation of the decision by Mr. Speaker Crisp, and it is not part of the rule at all. It is simply a citation found among the notes. Now, to conclude, I desire to make the suggestion that I am only interested in the orderly procedure of the House. The experience of the House has shown that it is infinitely wiser, it saves time, to permit the Clerk to call the roll, as provided by the rule, of those who failed to answer upon the first roll call; that it is more orderly and less productive of confusion and takes less time than to permit Members to gather around, as they did yesterday afternoon in the pit of the House, and let the Clerk call them one at a time.

I am only interested in the integrity of the rules of the House. It may be contended that the rule that he has suggested, while it overthrows the rules of the House, will serve the interest of the House by forcing Members to maintain a quorum. I agree with the gentleman that something should be done to keep a quorum. Gentlemen on the Republican side are having the same trouble the Democratic leaders had in a Democratic Congress. It is not a partisan proposition at all. Each side has always had trouble in keeping a quorum. If the gentlemen who are on the Committee on Rules will bring in a rule that will enforce, in a practical way, the attendance of Members, so that we can have a quorum all the time, I will gladly support it. The way to do it is not by an arbitrary decision of the Chairman of the Committee of the Whole House on the state of the Union, in violation of the rules, but by a report of the Committee on Rules and by solemn vote of the Members of the House, with notice first given to them, so that they can express their opinion by voting on an amendment to the rules. It is not within the authority of a Chairman of the Committee of the Whole to change the rules of the House by his decision as Chairman because he thinks the change is necessary. The authority to amend the rules rests with the Members of the whole House, and they are

rightfully jealous of this right. I am content to drop the matter, as I am assured that the rules in this respect will be respected in the future.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 7972. An act to improve the administration of the postal service in the Territory of Hawaii, in Porto Rico, and the Virgin Islands;

H. R. 8986. An act granting the consent of Congress to the Paris-Hugo Bridge Co. to construct a bridge and approaches thereto across Red River, near Arthur City, Lamar County, Tex.; and

H. R. 6810. An act to prohibit intoxicating beverages and to regulate the manufacture, production, use, and sale of high-proof spirits for other than beverage purposes, and to insure an ample supply of alcohol and promote its use in research and in the development of fuel, dye, and other lawful industries.

EXTENSION OF PASSPORT CONTROL.

The SPEAKER. The question arises on the passport bill, on which the previous question was ordered.

First, the question is on agreeing to the amendments. If a separate vote is not demanded on any amendment, the Chair will put them en gros.

The question was taken, and the amendments were agreed to. The bill was engrossed and ordered to be read a third time, and was read the third time.

The SPEAKER. The question is on the passage of the bill.

Mr. BLANTON. Mr. Speaker, division; and, pending that, I think, inasmuch as this is an important matter, there should be a roll call; and I make the point of no quorum.

The SPEAKER. The gentleman, pending the division, makes the point that there is no quorum. Evidently there is no quorum present. The Clerk will call the roll. Those in favor of the bill will, as their names are called, answer "yea," those opposed will answer "nay."

The question was taken; and there were—yeas 315, nays 1, answered "present" 2, not voting 112, as follows:

YEAS—315.

Alexander	Crisp	Hardy, Colo.	Loneragan
Almon	Crowther	Hardy, Tex.	Longworth
Anderson	Currie, Mich.	Harrison	Luce
Andrews, Nebr.	Dale	Haskell	Lufkin
Anthony	Dallinger	Hastings	Luhning
Ashbrook	Darrow	Haugen	McArthur
Aswell	Davey	Hawley	McCulloch
Ayres	Davis, Minn.	Hayden	McDuffie
Bakka	Davis, Tenn.	Hays	McGlennon
Bacharach	Denison	Hernandez	McKenzie
Baer	Dent	Hersey	McKeown
Bankhead	Dewalt	Hersman	McKiniry
Barbour	Dickinson, Mo.	Hickey	McKinley
Barkeley	Dickinson, Iowa	Hicks	McLaughlin, Mich.
Bee	Dominick	Hoch	McPherson
Begg	Doughton	Holland	MacCrate
Benham	Dowell	Howard	Madden
Black	Drane	Huddleston	Magge
Blackmon	Dunbar	Hudspeth	Major
Bland, Ind.	Dunn	Hulings	Mansfield
Bland, Mo.	Dupré	Hull, Iowa	Mapes
Blanton	Dyer	Hull, Tenn.	Martin
Boles	Eagan	Humphreys	Mason
Bowers	Echols	Husted	Mays
Box	Edmonds	Hutchinson	Merritt
Briggs	Elliott	Igoe	Michener
Brinson	Elston	Jacoway	Miller
Brooks, Ill.	Emerson	James	Minahan, N. J.
Brooks, Pa.	Esch	Jeffers	Monahan, Wis.
Browne	Evans, Mont.	Johnson, Ky.	Mondell
Browning	Evans, Nebr.	Johnson, S. Dak.	Montague
Brumbaugh	Evans, Nev.	Johnson, Wash.	Moon
Buchanan	Fairfield	Jones, Pa.	Mooney
Burdick	Ferris	Jones, Tex.	Moore, Ohio
Burroughs	Fess	Juhl	Moore, Va.
Butler	Fisher	Kearns	Morgan
Byrnes, S. C.	Flood	Keller	Mott
Byrns, Tenn.	Focht	Kelley, Mich.	Mudd
Campbell, Kans.	Fordney	Kelly, Pa.	Nelson, Mo.
Campbell, Pa.	Freeman	Kendall	Nelson, Wis.
Candler	French	Kettner	Newton, Minn.
Cannon	Ganly	Kless	Newton, Mo.
Carss	Gard	Kling	Nichols, Mich.
Carter	Garland	Kinkaid	Nolan
Chindblom	Garner	Kitchin	Oldfield
Christopherson	Garrett	Klecza	Oliver
Clark, Fla.	Glynn	Knutson	Olney
Clark, Mo.	Good	Kreider	Osborne
Classon	Graham, Pa.	Lampert	Padgett
Cleary	Graham, Ill.	Lanham	Park
Coady	Green, Iowa	Lankford	Parrish
Cole	Greene, Mass.	Layton	Pell
Connally	Greene, Vt.	Lazaro	Phelan
Cooper	Griest	Lea, Calif.	Platt
Copley	Griffin	Lehlbach	Pou
Crago	Hadley	Leshner	Purnell
Cramton	Hamilton	Linthicum	Quin

Radcliffe	Sanford	Strong, Kans.	Walters
Rainey, J. W.	Schall	Summers, Wash.	Wason
Rainey, Ala.	Scott	Sumners, Tex.	Watkins
Raker	Sears	Sweet	Watson, Pa.
Ramseyer	Sherwood	Taylor, Colo.	Watson, Va.
Randall, Calif.	Shreve	Taylor, Tenn.	Weaver
Randall, Wis.	Siegel	Temple	Webb
Rayburn	Sims	Thomas	Welling
Reavis	Sinclair	Thompson	Welty
Reber	Smith, Idaho	Tillman	Whaley
Rhodes	Smith, Ill.	Tilson	Wheeler
Ricketts	Smith, Mich.	Timberlake	White, Kans.
Riddick	Smithwick	Tinkham	White, Me.
Rodenberg	Snell	Towner	Williams
Rogers	Snyder	Vallie	Wilson, La.
Romjue	Stegall	Vare	Wingo
Rose	Stedman	Venable	Winslow
Rouse	Steele	Vestal	Wood, Ind.
Rowe	Steenerson	Vinson	Wright
Sanders, Ind.	Stephens, Ohio	Volgt	Young, N. Dak.
Sanders, La.	Stevenson	Volstead	Young, Tex.
Sanders, N. Y.	Stiness	Walsh	

NAYS—1.

Gallagher

ANSWERED "PRESENT"—2.

Kraus Treadway

NOT VOTING—112.

Ackerman	Fuller, Ill.	McFadden	Rowan
Andrews, Md.	Fuller, Mass.	McLane	Rubey
Bell	Gallivan	McLaughlin, Nebr.	Rucker
Benson	Gandy	MacGregor	Sabath
Bland, Va.	Godwin, N. C.	Maher	Saunders, Va.
Booher	Goldfogle	Mann	Scully
Brand	Goodall	Mead	Sells
Britten	Goodwin, Ark.	Moore, Pa.	Sinnott
Burke	Goodykoontz	Moore, Ind.	Sisson
Caldwell	Gould	Morin	Slemp
Cantrill	Hamill	Murphy	Small
Caraway	Heflin	Neely	Smith, N. Y.
Carew	Hill	Nicholls, S. C.	Stephens, Miss.
Casey	Houghton	O'Connell	Strong, Pa.
Collier	Ireland	O'Connor	Sullivan
Costello	Johnson, Miss.	Ogden	Swope
Cullen	Johnson, N. Y.	Overstreet	Taylor, Ark.
Curry, Calif.	Kahn	Paige	Tincher
Dempsey	Kennedy, Iowa	Parker	Upshaw
Donovan	Kennedy, R. I.	Peters	Ward
Dooling	Kincheloe	Porter	Webster
Doremus	LaGuardia	Rainey, H. T.	Wilson, Ill.
Eagle	Langley	Ramsey	Wilson, Pa.
Ellsworth	Larsen	Reed, N. Y.	Wise
Fields	Lee, Ga.	Reed, W. Va.	Woods, Va.
Fitzgerald	Little	Riordan	Woodward
Foster	McAndrews	Robinson, N. C.	Yates
Frear	McClintic	Robson, Ky.	Zihlman

So the bill was passed.

The Clerk announced the following pairs:

Mr. LAGUARDIA with Mr. MAHER.
 Mr. LITTLE with Mr. McLANE.
 Mr. McFADDEN with Mr. McCLINTIC.
 Mr. McLAUGHLIN of Nebraska with Mr. MCANDREWS.
 Mr. MACGREGOR with Mr. FITZGERALD.
 Mr. MANN with Mr. LEE of Georgia.
 Mr. FOSTER with Mr. SMITH of New York.
 Mr. FREAR with Mr. SMALL.
 Mr. SWOPE with Mr. CANTRILL.
 Mr. FULLER of Illinois with Mr. SISSON.
 Mr. FULLER of Massachusetts with Mr. SCULLY.
 Mr. GOODALL with Mr. SABATH.
 Mr. GOODYKOONTZ with Mr. RUCKER.
 Mr. BRITTEN with Mr. WISE.
 Mr. MOORE of Pennsylvania with Mr. LARSEN.
 Mr. MOORES of Indiana with Mr. JOHNSTON of New York.
 Mr. DAVIS of Minnesota with Mr. OVERSTREET.
 Mr. WARD with Mr. CALDWELL.
 Mr. WEBSTER with Mr. BRAND.
 Mr. TREADWAY with Mr. BOOHER.
 Mr. WILSON of Illinois with Mr. BLAND of Virginia.
 Mr. WOODYARD with Mr. BENSON.
 Mr. BURKE with Mr. WILSON of Pennsylvania.
 Mr. COSTELLO with Mr. URSHAW.
 Mr. CURRY of California with Mr. TAYLOR of Arkansas.
 Mr. MORIN with Mr. HEFLIN.
 Mr. MURPHY with Mr. HAMILL.
 Mr. FULLER of Massachusetts with Mr. RUBEY.
 Mr. STRONG of Pennsylvania with Mr. CARAWAY.
 Mr. SELLS with Mr. COLLIER.
 Mr. SINNOTT with Mr. CASEY.
 Mr. DEMPSEY with Mr. SULLIVAN.
 Mr. GOULD with Mr. ROBINSON of North Carolina.
 Mr. HILL with Mr. RIORDAN.
 Mr. HOUGHTON with Mr. HENRY T. RAINEY.
 Mr. IRELAND with Mr. O'CONNOR.
 Mr. OGDEN with Mr. GOODWIN of Arkansas.
 Mr. PAIGE with Mr. GODWIN of North Carolina.
 Mr. KAHN with Mr. O'CONNELL.
 Mr. KENNEDY of Iowa with Mr. NEELY.

Mr. YATES with Mr. BELL.
 Mr. ZIHLMAN with Mr. GOLDFOGLE.
 Mr. TINCHER with Mr. JOHNSON of Mississippi.
 Mr. PARKER with Mr. GALLIVAN.
 Mr. PETERS with Mr. EAGLE.
 Mr. PORTER with Mr. DOREMUS.
 Mr. RAMSEY with Mr. DOOLING.
 Mr. REED of New York with Mr. DONOVAN.
 Mr. REED of West Virginia with Mr. CULLEN.
 Mr. ELLSWORTH with Mr. STEPHENS of Mississippi.
 Mr. LANGLEY with Mr. FIELDS.
 Mr. ROBSON of Kentucky with Mr. NICHOLLS of South Carolina.

Mr. SLEMP with Mr. CAREW.

Mr. KENNEDY of Rhode Island with Mr. MEAD.

Mr. ANDREWS of Maryland with Mr. WOODS of Virginia.

Mr. KNUTSON. Mr. Speaker, I desire to withdraw my affirmative vote and vote "present." I am paired with the gentleman from Georgia, Mr. BELL.

The SPEAKER. The Clerk will call the gentleman's name.

The Clerk called the name of Mr. KNUTSON, and he answered "Present."

Mr. BACHARACH. Mr. Speaker, Mr. KENNEDY of Rhode Island requested me to announce that if he were present he would vote "aye."

The result of the vote was announced as above recorded.

The SPEAKER. A quorum is present. The Doorkeeper will open the doors.

On motion of Mr. ROGERS, a motion to reconsider the vote whereby the bill was passed was laid on the table.

ENROLLMENT OF FOOD-CONTROL BILL.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table Senate concurrent resolution No. 12, providing for certain corrections in the enrollment of the food-control act.

Mr. SUMMERS of Washington rose.

The SPEAKER. For what purpose does the gentleman from Washington rise?

Mr. SUMMERS of Washington. To ask unanimous consent—

The SPEAKER. There is one unanimous-consent request pending already. The gentleman from Iowa [Mr. HAUGEN], chairman of the Committee on Agriculture, requests unanimous consent to take from the Speaker's table the following Senate concurrent resolution, which the Clerk will report.

The Clerk read as follows:

Senate concurrent resolution 12.

Resolved by the Senate (the House of Representatives concurring). That in the enrollment of the bill (H. R. 8624) entitled "An act to amend an act entitled 'An act to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of food products and fuel,' approved August 10, 1917," the Clerk of the House of Representatives be, and he is hereby, authorized and directed to strike out the word "an" in line 31 of section 106 of the bill as agreed upon in conference and to insert in lieu thereof the word "on"; also in section 112 where they twice appear and in section 114 where they once appear strike out the words "treasury of the District of Columbia" and insert in lieu thereof the words "Treasury of the United States to the credit of the District of Columbia"; and in section 118, line 5, of the bill as agreed upon in conference, strike out "for" where it first occurs and insert in lieu thereof the word "or."

The SPEAKER. Is there objection?

Mr. CLARK of Missouri. Reserving the right to object, Mr. Speaker, what is the effect of all these changes?

Mr. HAUGEN. Two amendments are simply to correct typographical errors; a change of words from "an" to "on" and from "for" to "or." In setting up the type they added "f" to the word "or," making it "for" instead of "or," and made another word read "an" instead of "on." In the bill it is stated that the moneys "shall be paid into the treasury of the District of Columbia." There is no such treasury; it is now proposed that the money shall be paid into the Treasury of the United States to the credit of the District of Columbia.

Mr. CLARK of Missouri. Well, who is responsible for five or six errors in a short resolution?

Mr. HAUGEN. Some one over in the printing department; I could not say. The errors were made in setting up the type. Mr. CLARK of Missouri. Were those errors in the original bill? Did you people make the errors or was it the printer?

Mr. HAUGEN. In the bill as it was agreed to the word was "on" instead of "an," and the word "or" instead of "for." That has been discovered. The bill as passed provided that the money should be "paid into the treasury of the District of Columbia."

Mr. CLARK of Missouri. I know; but this resolution strikes out a whole sentence.

Mr. HAUGEN. It simply strikes out the word "an" and inserts the word "on," and strikes out the word "for" and inserts the word "or," and strikes out "the treasury of the District of Columbia" and inserts "the Treasury of the United States to the credit of the District of Columbia."

Mr. CLARK of Missouri. The printer did not do that.

Mr. HAUGEN. Not the last. As I said, there are two typographical errors.

Mr. CLARK of Missouri. What they need down there is proof readers.

Mr. HAUGEN. It is very easy to make a mistake of that kind. I am not criticizing it.

The SPEAKER. It is not easy to make a mistake about the "treasury of the District of Columbia," when there never was any such thing on the face of the earth and never will be.

Mr. HAUGEN. It was made at the suggestion of an expert, who probably knows more about the District of Columbia than anybody else. But such mistakes will happen.

Mr. WALSH. Reserving the right to object, Mr. Speaker, I desire to ask the gentleman from Iowa if he does not think in line 8 of the second paragraph of section 106 the word "an" and the oblique line ought to be omitted? That is introducing a new theory in legislation, attempting to insert "or" for "an" and the word "for" for the word "or," so that the sentence can be read either way. Will the gentleman accept an amendment to strike out the oblique line "or," so that the resolution might include the amendment?

Mr. HAUGEN. Yes.

Mr. FESS. Reserving the right to object, Mr. Speaker, I would like to ask the chairman of the Committee on Agriculture how much time he expects this will consume?

Mr. HAUGEN. I do not expect it will take up five minutes. It is not necessary to discuss it. The resolution itself indicates what is required, which is simply to correct the typographical errors and to make the changes indicated.

Mr. FESS. Assuming that the gentleman is mistaken and that debate will start, will the gentleman then withdraw it?

Mr. HAUGEN. Yes. I do not think it will take more than a minute to dispose of it.

Mr. CRAMTON. Mr. Speaker, reserving the right to object, will the gentleman yield for one observation?

Mr. HAUGEN. Yes.

Mr. CRAMTON. I want to state that this is an illustration of the impropriety of much of our rider legislation. The Committee on Agriculture of neither body in Congress had any business with this Bill. It belonged in the Committee on the District of Columbia. The Committee on Agriculture, it develops, did not know that there is no treasury of the District of Columbia, and it is not surprising that they did not. That is not in their jurisdiction. The Committee on the District of Columbia would have known that fact and would have guarded against this kind of an error. I submit that the best legislation can be secured if the committees that have jurisdiction will exercise their jurisdiction and other committees keep out.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, it has been beneficial in this respect, that it did teach the Committee on Agriculture that there was no such treasury. [Laughter.]

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, the trouble about the matter, as I view it, is that it came over here on a conference report, and then we had a rule which came in here which prevented us from amending it. Is not that the reason for the error? If we had had an ordinary resolution and power to correct after we had the conference report in here, these things could have been corrected by the House.

Mr. HAUGEN. The gentleman can draw his own conclusion. The error was made in the printing department.

Mr. GARD. No; the error was made by the conferees.

Mr. HAUGEN. The conferees can not be held responsible for the typographical errors.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAUGEN. In reply to the gentleman from Michigan [Mr. CRAMTON] let me state that the suggestion came from the Committee on the District of Columbia. It was inserted at the suggestion of the members of that committee.

Mr. CANDLER. I will state further that the remarks of the gentleman from Michigan [Mr. CRAMTON] and the gentleman from Texas [Mr. BLANTON] as to the knowledge of the Committee on Agriculture are uncalled for and gratuitous, for everybody knows that the Committee on Agriculture knows more about everything in this House and where the treasuries are and every-

thing else than any other committee of the House. [Laughter and applause.]

Mr. WALSH. I move to amend by striking out, in line 8 of the second paragraph of section 106, in the conference report, the oblique line and the word "or."

The SPEAKER. The gentleman from Massachusetts offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. WALSH: In line 8 of the second paragraph of section 106 of the conference report, strike out the oblique line and the word "or."

Mr. WINGO. I should like to know what the effect of that amendment is. Let the Clerk report the text as it will read if so amended. Or, if the gentleman will explain it, that will be satisfactory.

Mr. WALSH. If the Chair will permit, it will then read:

If the commission determines that such rents, charges, service, or other terms or conditions are unfair or unreasonable, it shall determine and fix such fair and reasonable rent or charges therefor, and fair and reasonable service, terms, and conditions of use or occupancy.

Mr. WINGO. What change do you make by that amendment?

Mr. WALSH. They have the word "and" there followed by an oblique line and the word "or," in order that the paragraph may be read either way.

The SPEAKER. Is there objection?

There was no objection.

The amendment was agreed to.

Mr. HAUGEN. Mr. Speaker, I move to concur in the resolution with the amendment which has been agreed to.

The SPEAKER. The question is on agreeing to the resolution as amended.

The resolution as amended was agreed to.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the resolution was agreed to was laid on the table.

SUPPLEMENTARY REPORT ON THE COTTON CROP.

Mr. HAUGEN. Mr. Speaker, I ask unanimous consent to call up H. J. Res. 230, authorizing and directing the Secretary of Agriculture to prepare and issue a supplementary report on the condition of the cotton crop.

The SPEAKER. The gentleman from Iowa asks unanimous consent for the present consideration of a House joint resolution, which the Clerk will report by title.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection to the present consideration of the joint resolution?

Mr. KING. Mr. Speaker, I object.

Mr. BYRNES of South Carolina. Will the gentleman withhold his objection a moment?

Mr. KING. I will.

Mr. BYRNES of South Carolina. This resolution will not take over five minutes. If it does, I will agree to withdraw it. I am satisfied that no Member of the House will object to it if he will allow me three minutes in which to state its purpose.

Mr. CANDLER. It is unanimously indorsed by all the Members of Congress from the cotton States, and we think it very important to pass this resolution at once.

Mr. KING. I withdraw the objection.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. This joint resolution is on the Union Calendar.

Mr. HAUGEN. I ask unanimous consent that it be considered in the House as in Committee of the Whole.

The SPEAKER. The gentleman asks unanimous consent that the joint resolution be considered in the House as in Committee of the Whole. Is there objection?

There was no objection.

The joint resolution was read, as follows:

Resolved, etc., That the Secretary of Agriculture is hereby authorized and directed to prepare and publish not later than November 2, 1919, a supplementary estimate of the condition of the cotton crop as of the date October 25, 1919.

The joint resolution was ordered to be engrossed and read a third time, and was accordingly read the third time and passed.

On motion of Mr. HAUGEN, a motion to reconsider the vote by which the joint resolution was passed was laid on the table.

ENROLLED BILLS SIGNED.

Mr. RAMSEY, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 9203. An act to punish the transportation of stolen motor vehicles in interstate or foreign commerce; and

H. R. 1429. An act adding certain lands to the Idaho National Forest and the Payette National Forest, in the State of Idaho.

LEAVE OF ABSENCE.

By unanimous consent, leave of absence was granted—

To Mr. McFADDEN, for five days, on account of important business.

To Mr. SINNOTT, indefinitely, on account of the death of his daughter. (Request made by Mr. McARTHUR.)

To Mr. BRAND, indefinitely, on account of serious illness in his family.

To Mr. BOOHER, for the remainder of this session, on account of important business.

LEAVE TO EXTEND REMARKS.

Mr. MASON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the question of the power of the Government to appoint ambassadors. It is a legal proposition.

The SPEAKER. The gentleman from Illinois asks unanimous consent to extend his remarks in the RECORD on the subject of the power of the Government to appoint ambassadors. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, does this embrace the subject of appointing an ambassador to Ireland?

Mr. MASON. Yes; and to South Africa, or any other country. It is simply a recitation of the authorities upon the subject.

The SPEAKER. Is there objection?

Mr. GARD. Reserving the right to object, is it the gentleman's own compilation?

Mr. MASON. Yes; it is my own compilation.

The SPEAKER. Is there objection?

There was no objection.

Mr. SUMMERS of Washington. I ask unanimous consent to extend my remarks in the RECORD on the passport bill just passed.

The SPEAKER. Is there objection to the request of the gentleman from Washington?

There was no objection.

Mr. KELLER. I make the same request.

The SPEAKER. The gentleman from Minnesota makes the same request. Is there objection?

There was no objection.

INDUSTRIAL VOCATIONAL REHABILITATION.

The SPEAKER. The House automatically resolves itself into Committee of the Whole House on the state of the Union.

Accordingly the House resolved itself into Committee of the Whole House on the state of the Union, with Mr. MADDEN in the chair.

The CHAIRMAN. The House is now in Committee of the Whole House on the state of the Union for the further consideration of the bill of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 4438) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment.

The CHAIRMAN. Under the leave of the House, the gentleman from Illinois [Mr. CANNON] is recognized for 40 minutes.

Mr. CANNON. Mr. Chairman, I do not believe I shall occupy the 40 minutes, but for fear that I may do so I wish to be reminded at the expiration of 35 minutes. I also desire to say to the committee that I want to make this talk as brief as possible, and for the present, at least, I would be glad not to be interrupted. I have no manuscript. Being of Quaker descent, I have got to preach the gospel as the spirit moves me. [Laughter and applause.]

Mr. Chairman, the war, I pray God, may soon be legally over. Technically it is not over. We had to go to war. They blew up our ships in mid-ocean. We did go to war; we had over 4,000,000 people engaged in that Great War. I will not weary you except to refer to it. You know all about it. Thank God, the armistice came and we with those with whom we cooperated prevailed. [Applause.]

Now we have got to unscramble the eggs. We have got to pay the expenses of the war. They have got to be paid by taxation. We have got to keep our pledges to the boys that were in the front, who had the muskets and the artillery, who bore the brunt of the Great War. Of course, we had to support them from home, for if that link of the chain had broken we would have failed. The chain is no stronger than its weakest link. At times we had a hell of a time at home. [Laughter.] Wages were increased; prices of everything were increased; strikes threatened and coming; we were dictated to; but the soldier did not complain. The trouble was at home.

We have just passed a passport bill. I think it was unanimous, but there may have been one vote against it. You recall

the debate of yesterday. It was claimed that the majority of the people who are now striking in the United States are not American citizens. If we only had the power to take them by the nape of the neck and the slack of the breeches and throw them across the ocean, we would have done the job. [Laughter and applause.] Most of them are ignorant, and some of them vicious, as was said yesterday, and I am taking that because it was not disputed by anybody, and they do not wish well to the Government, except as they can be employed and better their condition and go back home.

I am making no attack upon them. God knows that as long as the people in this country will obey the law and aid in the maintenance of our industries, for one I will welcome them, and I welcome the great number of people—and there are a large number—that will be naturalized, who are children of those in the second, third, fourth, and fifth generation who came from across the ocean. They make good American citizens. God knows that as near as I can make up my own ancestry, those who came to this New World, if they had not come, a part of us would be in Ireland. [Laughter and applause.] A little bit would be in Germany and a little bit in France.

The glory of this country has been that under our Constitution local matters are controlled by the States, and national matters are controlled by the Nation. It is a long way to San Francisco—3,000 miles—and a long way from the Canadian border down to the Gulf—2,000 miles and plus. We have got our hands full in performing the functions of the Congress in legislating for the Federal Government, but there is a tendency to go not in a walk, not in a trot, but in a run to transfer power that the States should exercise to the United States Government and administer the same from Washington.

I am not going to say that you Democrats are to blame for it. The truth is that while you are six, we are half a dozen in the premises. [Laughter and applause.]

This bill that I am going to talk about, gentlemen, I want to say is not a partisan bill. It can not pass alone by Republican votes, it can not pass alone by Democratic votes. It is a patriotic thing, in my judgment, to defeat this bill, and it can not be done unless we keep in view the great work before us, with \$4,000,000,000 plus to raise annually by taxation, or further embarrass our credit by issuing bonds, and it will touch all of us.

We, on our side, can not make it a partisan question, and you on your side can not make it a partisan question. So it is in this spirit that I come to talk to you. I do not want to abuse anybody or make myself uncomfortable, but I want to call a spade a spade, and speak plainly and directly as I may be led to speak.

We have a national vocational education act to take care of our soldier boys, and we are trying to get ready to do it. It is said that slow progress has been made with that work. I expect that is true. The hearings show that \$1,000,000, in round numbers, has been paid in salaries to that board. According to the soldiers' paper which I have in my hand, a very insignificant amount of vocational training has been accomplished. Those that are trained and are in training are only as two to every \$2,500 or five or six or seven thousand dollar man on the board who is on salary. Pretty slow progress has been made.

Mr. Chairman, there never was in the tide of time such provision made to care for any Army on earth as was made to care for our Army. About 75,000 are buried in France. God knows I would resurrect them if I could. It is not a very large death rate, it is true, considering the great number of people we had there. "Would you go if you were a young man, Mr. CANNON, for \$32 a month?" Well, unless it was absolutely necessary to help preserve the Government, I would answer "No" to that question. I do not suppose any of those boys wanted to go except that they did so from a patriotic standpoint. They are dead. Those who survive them, the wife or the dependent parent or the dependent child, and still broader than that, under the war-risk act are better provided for than any Army was provided for in the history of the world. Think of the \$900,000,000 of insurance that went to the dependents of those soldiers.

The \$10,000 or the \$5,000, whatever the sum might have been, goes to the beneficiaries of those who are dead in payments covering a period of 20 years. Of course, we are all glad that we voted for legislation of that kind, to make that provision for the soldiers and those who survived them. We did not halt, when it came to war legislation, on either side of the House, about voting for anything and everything that would help us win the war. We would do it again if we were in war.

Having said that much about it, let me speak about those who are receiving vocational training. They do not have to go. The war-risk bill makes large provisions. It runs up as high as \$200 a month for complete disability; \$100 a month is the largest amount that was ever provided for a soldier. All

kinds of rates are made, and they are liberal. Would you be in their condition for that much? Oh, no! But we voted for that liberal act, and we are going to pay for it cheerfully and patriotically.

Some one here has said that this bill will cost the American people annually only 1 cent each, which would be true if we levied a direct tax on all the 100,000,000 people to meet the expense, but the returns of the Internal Revenue Bureau indicate that only about 3 per cent of the people pay an income tax, and that 3 per cent is largely in the industrial States, which have already made pretty fair provision for their unfortunates. The Commissioner of Internal Revenue shows that one-fourth of the States last year paid three-fourths of all the revenue collected for the Federal Government, and that three-fourths of the States contributed less than one-fourth of the total revenues. You propose to further tax the industrious and frugal to take care of the unfortunate in all sections of the country.

But this is not the only legislation of this character proposed to this Congress. The junior Senator from Texas also has a bill now before the Senate to "encourage instruction in maternity and infancy, and to aid in extending proper care for maternity and infancy, and to provide for cooperation with the States in the promotion of such instruction and care."

That bill provides for a direct appropriation of \$480,000 for each year, \$10,000 of which shall be paid annually to each State from the Federal Treasury. It also provides for an appropriation of \$2,000,000,000 annually on the basis of like appropriations by the States. Here is another draft of \$2,500,000 a year on the Federal Treasury to aid the States in looking after what the State boards of health should do for each State. There are many other things which can be suggested when the Congress enters upon this character of legislation, and the billions we have spent on war will be continued in centering in Washington great bureaus to look after the people regardless of their ability or their disposition to have all their domestic affairs controlled from Washington.

These bureaus will be models, no doubt, but I fear they may be little more effective than the models in the Patent Office which are stored there to preserve them and for exhibition to the tourists who visit the National Capital, while the unfortunate who do not advertise their misfortunes will continue to suffer in ignorance of these bureaus.

But this legislation minimizes the importance of that for the rehabilitation of the soldiers who were disabled in defense of the whole country, to whom the Nation owes every possible care. Before that legislation has been put into practical operation for the rehabilitation of the soldiers you propose to extend the same benefits to the whole population, regardless of their sacrifices for the Nation—to those who found excuse to remain at home while the boys were in France fighting against Germany. That is, to my mind, one most effective way of indicating that the soldiers deserve no more from Congress than the men and women who made no effort to defend the country.

Do you know what I think of this country? I will just cast my eye about here, letting it rest upon the Members of Congress who are about me, and if all were here I would say what I am going to say now. The best education that is received in this country is that which is received about the hearthstone, from the wife, the husband, the parents, the home, whether that home be a log cabin or in a frame building or what not, and while I believe in book learning, yet if I had a family of boys, every one of them would be so trained that they would earn a living. That is the best of all educations. Of course, we are very liberal in our educational system, and nearly all of the States have compulsory education.

Reading, writing, and ciphering was what I got—as far as the rule of 3. That is what I had. At the age of 15 years I was compelled to go to work—my father having been drowned—to help support the family. I am awkward perhaps in my sentences, but the education that I received upon the hearthstone and in the log schoolhouse I would not exchange, if I could turn back the leaves of time and be young again, for all the training that could be given me in all of the universities of the world. [Applause.]

How are you going to have the Republic preserved? It will be done by keeping the hearthstone, and through the present and the coming generations receiving practical education. I once had a client who owned considerable land who could not read or write. However, he was an awfully good cattleman, was honest, and a good citizen. He was a Democrat, and I used to quarrel with him about voting the Democratic ticket, but he said that he saw the light in that way, and that he was going to do, and he did it up to the time of his death.

One day when he came to see me I said to him, "How is your neighbor, Mr. Jones?" He, too, had lots of land, as this client of mine had. He replied, "Oh, he is getting along pretty well." "Cattle good?" "Yes." Then I said to him, "He has a large family and you have a large family." "Yes, yes," he replied. I said to him, "What are they doing?" and he said to me, "Why, he is sending three gals and two boys over to Asbury College"—it is now Depauw University—"to take a course." I said, "That is all right; he has the money and he has worked hard." "Oh, Joe," said he, "them Jones boys and gals will come back and they will be educated idiots," and they were. [Laughter.] Oh, Mr. Chairman, I am not against universities, and I am not against colleges, but let me tell you you have got to take the men who work in the factories, and their children, and those that sail on the lakes and on the ocean, and others who work when you come to consider the men who go to make up the real people of this country, for you can not get along without practical education.

Mr. Chairman, in one respect I am just as good a democrat as any Democrat on the Democratic side of this House. Thank God that the great Civil War is behind us; that the wounds are healed; and that we now have but one common purpose. No one has ever heard me say things about anybody, about any Member of Congress or any Senator, because I happened to disagree with him on principle, simply because he was a Democrat, because I regard him as my peer and I regard myself as his peer.

"Well, now, Mr. CANNON, why do not you talk about the bill?" [Laughter.] Oh, I have been laying the foundation to talk about the bill. Let us now consider vocational training. They have \$14,000,000 to take care of the soldiers now for this year. They have trained very few. They have spent a million dollars in salaries—large salaries—and they have trained very few. I hope they will do better. Secretary Glass the other day, as I read in the papers, appeared before a Senate committee and said that he would recommend \$20,000,000 more for vocational training, and, God knows, if they need it, I say \$20,000,000 or \$50,000,000 or \$100,000,000 for vocational training for the soldiers, and whatever is needed for that purpose. That is as far as I want to go. "Well, Mr. CANNON, does not this bill want us to go further?" Yes; and that is what I object to. We have 38 States already acting independently of Congress, with their various laws passed for compensation for accidents in civil life, with the courts open, with the manufacturers in the main insuring against accidents to their employees, and, as far as compensation itself goes, it is large, it is liberal, when you come to take up the whole question. The States have done it, and the States ought to continue to do it.

Oh, somebody may say, "Why are you talking?" I am talking on the merits, and if I have not said so already I do not want the necessity of keeping our pledge to the boys who fought our battles in France to be used as a makeshift to take the same machinery and use it to give vocational training to those in civil life who did not go to war. Do you know what is to happen? If I state it wrong, somebody interrupt me. During this Congress you are to bring in a bill here to make the Commissioner of Education a Cabinet member. God knows if I had the power I would have less Cabinet positions than now, because they could be administered without duplication and at far less expense and perform their duty by giving service more promptly than is now given. Under these various departments having jurisdiction we have duplication of all kinds. I am a member of the Committee on Appropriations, and you ought to hear the several departments pull and haul about the importance of having all the money they want to duplicate in the same kind of work. We have got to get rid of that, and ought to get rid of it. I agree with Mr. Speaker CLARK that we have got Cabinet officers enough. I am opposed to the creation of any more. Yet I am informed that the next step is to create a department of education to take the place of the Commissioner of Education. The States are caring for education. A department of education located in Washington to boss the education of the whole country would be injurious to education in the States. Now, as a general proposition, I want to make this statement: The men who are college professors, on the average, are not good business men.

Yet, if there is to be a department of education it would be dominated by college professors. But whenever you find an exception I can count you 50 of them who are not competent for practical work outside of the book education. Now, so much for that. This vocational bill which we passed for the soldiers I voted for. What is the condition of the country? "We are getting \$1.10 for corn now, whereas we got \$2; hogs have fallen off 25 per cent, and so on and so on." Yes; and they will go off more and the price of corn will go lower, the price

of land will go lower, not in real value, not in purchasing power when you come to exchange them for something to eat and the wherewithall to be clothed, but we will get back some time or other to the normal. But you know we will not do it without pulling teeth. Why, there are plenty of farmers raising cotton, and raising corn, and raising cattle, and doing this and that and the other, so busy they do not stop to analyze the situation, and when you keep your taxation, and we can not reduce it below \$4,000,000,000, and it will be more instead of less, and it will last until successors are seated in every seat of this House of those who are now in it, and hell will be to pay and no pitch hot; and, gentlemen, there is no doubt about it. "Mr. CANNON, are you a Republican?" "Yes." I believe in the principle of protection. You Democrats do not. We used to fight about it. We used to get about \$300,000,000 that way, a good deal of money to help along under normal conditions.

We can not under any conditions levy any kind of a tariff to get over \$500,000,000. Where is the \$4,000,000,000 to come from to meet our annual expenditures? Why, we have had prohibition during the war, and that will not be a practical question in the next campaign nor the next nor the next, but it will take nearly half a billion from our revenues. It is a question of taxation. What is it to go on? On manufactured products, on sales by wholesale people of 1 per cent? I hope they will never reach the retail people, because there is so many of them. Consumption taxes not proper. Yet we have got to be patriotic, and you Democrats have not any gimlet hole to look through from what I have to look through in settling the matter. [Laughter and applause.] I have great admiration for the majority floor leader. He is my personal and political friend, but I was not in sympathy with him when he got up here to talk on this bill the other day, and talked of how much we had reduced appropriations more than you had, and there were three or four of you making mouths at him. [Laughter.] Well, that was just camouflage, leather and prunella. That is all there is of it. Let us be honest with each other, leather and prunella. Now, when you read this bill through—we have it under the five-minute rule—read it clear through and you will find that the Commissioner of Education, with his associates, living in Washington, where you people, getting the benefit of the law, will not be here to pay half of it, you will find it so drawn that the whole thing is to be controlled and managed from Washington.

And I am not making any attack upon Dr. Claxton. He is a good-looking old man, you know. [Laughter.] But with the highest respect for him, he looks through the keyhole at the universe, and "It is me and my wife and my son John and his wife; us four and no more." I do not know whether he has a wife or not, but I do know that he is just a specialist. Whereas when it comes to levying taxes in Georgia and North Carolina, Illinois, Indiana, New York, and the other States, you had better leave these matters of caring for the citizens in those various States to the States. [Applause.]

Mr. Chairman, how much time have I remaining?

The CHAIRMAN. The gentleman has seven minutes.

Mr. CANNON. Now, I want to talk in that seven minutes right from the shoulder.

You know that you are organizing your party and we are organizing ours. We are going to have quite a scrap. Whichever one prevails, I am satisfied the sun will rise and we will move on when the scrap is over. You have national committeemen and we have national committeemen. The national committeemen superintend the whole thing in the presidential campaign. They are useful people. I have no stones to throw at them or no stones to throw at the present men holding those places. I expect they are able men. I have a slight acquaintance with Mr. Hays. I do not believe I have ever met with your Democratic national leader; but we will scrap it out without tearing of hair in the next campaign. I hope we will win. Maybe you will win. If so, I will be just as loyal to this Government, if it is so decided by a vote of the majority, as I will be if it is decided our way.

What are you going to say to these national committees? I am not acquainted with the Democratic national committee. I think Mr. Hays, of the Republican committee, from all I hear about him, is a very able man. I was surprised and grieved when it was given out on this side of the House to as good, but no better, Republicans than I am, "You must vote this way. Hays wants it." My God, what would he do with it? He may want it, but what would he do with it? Is this supposed to be a bill for votes? For whom? Men that labor? Is that the supposition? That is the idea if it means anything. Do you think that you will let us do that kind of thing, if that is the motive, without making your record? And you would split even

on it. In the meantime the Government would suffer. Oh, I would like to be able to sing that song with a voice that would reach from the Atlantic to the Pacific, that old song of the church:

Increase my courage, Lord.

[Applause.]

Now, then, I was indignant. And I want to here and now, so far as I am concerned, to express my hope and belief that the Republican national committee leader, Mr. Hays, never has been interfering in this matter. I should be sorry, indeed, if it was proved that he did interfere; that he was responsible for this word going around on our side of the House, "He wants that; he wants that"; and that it meant votes.

Let us be honest with each other, my side and your side. If he did say it, I would pray God that he would repent and seek forgiveness for that political sin and never sin any more. [Applause.]

Now, I have not talked a great deal about the merits of this bill. I am going to talk possibly under the five-minute rule, here and there, on an amendment that I may desire to offer. I can not discuss it from beginning to end in the time that I have. But I felt that in good faith I might talk to my Republican friends and my Democratic friends and exhort them not to try to make a partisan measure out of something that is not partisan. [Applause.] We have enough to talk about on each side when the time comes.

Mr. Chairman, have I still some time?

Mr. MONDELL. Mr. Chairman—

The CHAIRMAN. Does the gentleman from Illinois yield?

Mr. MONDELL. I thought the gentleman was through.

Mr. CANNON. I yield two minutes to the gentleman from Wyoming, the majority leader. [Loud applause.]

Mr. MONDELL. Mr. Chairman, how times have changed when the gentleman from Illinois [Mr. CANNON] gets his applause on the Democratic side of the aisle.

Mr. CANNON. If the gentleman will yield, if they vote as well as they applaud we will defeat this bill. [Applause.]

Mr. MONDELL. And the gentleman's 49 minutes was very evidently utilized for the purpose of consolidating the Democratic vote against this bill. And I say, how times have changed! Well, I at one time tried to consolidate the Democratic side against a measure that the gentleman from Illinois [Mr. CANNON] was for. He was in favor of putting two Territories in the Southwest together into one State, and I got into a little insurgency to prevent that being done; we tried to get enough Republicans to join with the Democrats to put it over. Well, we did not accomplish it at that time. The organization of those days was a little bit too well knitted together. But eventually it came out our way, because it was right that it should. Finally we admitted Arizona and New Mexico as two separate States, as we had contended we should.

Again I say, how times have changed, when the gentleman from Illinois, of all others, appeals for support to the Democratic side and secures his applause from that side!

Now, something has been said in regard to a gentleman by the name of Hays, who is somewhat prominent politically. Mr. Hays's opinion was asked as to this bill. He did not volunteer any suggestion with regard to it. An inquiry was made of him as to what he thought of it, and he said he thought it was a very excellent measure—a very excellent measure [applause]—showing that the gentleman's views are sound, the gentleman's heart is right, and that, in addition to that, the gentleman has good political sense and judgment. [Applause.]

If the Democratic Party desires to take the responsibility of beating this bill, all well and good. So far as I am concerned, I am perfectly willing that every man on that side shall vote against it if he wants to. If they do, we will make the issue on those lines.

Now, gentlemen, I say again what I have said before—

Mr. BOX. May I ask the gentleman to yield? Would the gentleman prefer a political issue to winning on a meritorious legislative question?

Mr. MONDELL. I would not. I do not want to see a political issue on this or any other question that is not political in this House, but if the gentlemen will insist on making it political by applauding arguments against the bill, that is their affair and not mine.

Now, all these gentlemen who are standing up and protesting that they really are for the bill will have abundant opportunity to set themselves right when we come to vote on the bill. So it is not necessary to discuss that now. They will have their golden opportunity to put themselves right when it comes to the vote.

Mr. WELLING. Will the gentleman yield for a question?

Mr. MONDELL. My time is very brief. I do not know that the House is going to give me any more time, and I have a number of things I would like to say.

Mr. WELLING. If the gentleman desires—

Mr. GARD. The gentleman from Illinois [Mr. CANNON] proceeded under an allotment of time.

Mr. MONDELL. If a motion is needed, I move to strike out the last word.

Mr. GARD. I have no objection to the gentleman proceeding—

Mr. LAZARO. Did I understand the gentleman to say that he did not want to make it a political measure?

Mr. MONDELL. I do not. I have not at any time.

Mr. LAZARO. Did I understand the gentleman to say that they had consulted Mr. Hays about it?

Mr. MONDELL. Mr. Hays was asked about various measures—as to his opinion relative to them.

Mr. LAZARO. Inasmuch as you do not want to make it a political question, did you consult the national Democratic committeeman?

Mr. MONDELL. I do not happen to know that honorable gentleman; otherwise, I might have asked his opinion.

Now, Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Wyoming asks unanimous consent to proceed for 10 minutes. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Chairman, years ago there was ground and reason for a wide difference of opinion in this country relative to the proper activities and functions of the Federal Government. They were the good old days when gentlemen on the Democratic side, at least, and some on the other side preached the doctrine of *laissez faire*—the doctrine of "let it alone," the doctrine of "do nothing if you can avoid it," the doctrine that that was the best government that governed least; and there is something to be said on that side of the question, and I have sometimes argued it.

But, Mr. Chairman, we long since on both sides of the aisle, on the Democratic side quite as much as on our side, departed from that old doctrine. Long since we began to widen Federal activities and appropriate for a wide variety of purposes, among others for the protection of property, and I do not recall that any of the gentlemen who just applauded arguments against this bill which deals with the humanities have been voting against appropriations to cure hog cholera, to combat the Texas cattle tick, to stamp out the boll weevil, to control pine-bark rust, to stamp out in New England the chestnut blight.

Ah, when property is involved, when men's pocketbooks are affected, when it is proposed to protect men in their opportunities to make money gentlemen are not so tender with regard to the expenditures of Federal money and they are not so disturbed with regard to extensions of Federal authority, control, direction, or expenditures. But when we come to the humanities, when we reach the question of whether or no we shall care for our citizenship, whether or no we shall give encouragement, aid, direction, advice, and help in the salvage of unfortunate humanity, to save men from lives of bitterness and despair, my God, how gentlemen quake lest we too far extend the activities of the Federal Government! [Applause.]

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. MONDELL. I yield.

Mr. BLANTON. Is it not a fact that most of these appropriations which the gentleman from Wyoming has mentioned have been made during normal times of our Government and preceding the Great War, the result of which we must prepare to meet in the future?

Mr. MONDELL. Well, we have made them in normal times and we have made them in abnormal times, and we have made more of them for Texas, the great and glorious State of Texas, from which the gentleman hails, than for any other area under the flag.

Mr. BLANTON. You could not have made them for a better State.

Mr. MONDELL. No; and I have voted for them, voted to stamp out the cotton-boll weevil, to stamp out the Texas tick. We have poured out millions, millions upon millions, that men's property might be protected, that men might be prosperous, and gentlemen have voted for these things enthusiastically. But now when we suggest that it is time that the Nation encourage the betterment of the race, help to save men from despair and restore them to lives of hope and usefulness, these gentlemen who are willing to vote millions for the eradication of the boll weevil

and for the extermination of hog cholera are suddenly stricken with panic lest the Federal Government embark on new and questionable activities and enterprises.

Mr. Chairman, I have never called myself a "progressive," and some people have one time and another called me a "reactionary." I have not cared much, for I have been conscious of keeping an open mind and a forward-looking view. I hope that I grow with the growth and development of the views of the world. I hope that if I ever held to the narrow view that the Federal Government may not give consideration and attention to the vital needs and problems of its citizenship I have outgrown it. [Applause.] I want to keep an open mind, and I hope that my footsteps shall be forward and not backward and that when I fight for restrictions of Federal activity it will not be in the domain of the humanities. [Applause.] I appeal to all forward-looking men on both sides of this aisle to remember the responsibility of the Nation in guiding and encouraging the people of the States and their communities in caring for the unfortunate and in building up here, in the fairest land on earth, the best citizenship under the sun. [Applause.]

Mr. WOOD of Indiana, Mr. FESS, and Mr. BANKHEAD rose. The CHAIRMAN. The gentleman from Alabama [Mr. BANKHEAD] is recognized.

Mr. BANKHEAD. Mr. Chairman, I move to strike out the last two words.

The CHAIRMAN. The gentleman from Alabama moves to strike out the last two words.

Mr. BANKHEAD. Mr. Chairman and gentlemen of the committee, I desire to reiterate again to-day the sentiment which I expressed to the committee on this subject on day before yesterday, that I deeply regret that in the discussion of this bill upon its merits these extraneous and unnecessary questions of party expediency or political alignments should have been injected into the debate on this bill.

But I want to address the few remarks that I am going to make here to-day particularly to my colleagues on the Democratic side of this House. I do not want any Democrat here to be driven by these arguments that have been injected into this discussion by the controversy that has arisen here to-day between the distinguished gentleman from Illinois [Mr. CANNON] and the distinguished leader of the majority in this House [Mr. MONDELL]—to be driven away from the real, just, fair consideration of this measure upon its merits.

I want to say this further to you: It is not a Republican measure. I speak it modestly—I was the original author of this bill in either House of Congress in the days of the Sixty-fifth Congress. The bill that a few days ago unanimously passed the Senate of the United States was the bill introduced at the last session of Congress by Senator SMITH of Georgia, and reintroduced at this session by Senator SMITH of Georgia, a Democrat, and it bears his name.

I do not care what Mr. Hays, the chairman of the Republican campaign committee, says about this bill in expressing an opinion upon its merits, nor do I care what Mr. Cummings, our chairman, might say about its merits. There were 35 Democrats, at least, on the test vote here the other day to strike out the enacting clause of this bill who registered their conviction that aside from any other consideration that has been injected into this debate it was a constructive measure for humanity upon its merits, and I am sure they voted for it and that many, at least, will continue to vote for it from that consideration. There are a lot of men in this House who voted for \$100,000,000 out of the Federal Treasury to feed foreigners at the last session of Congress. For myself, I voted against it from considerations that appeared to me sufficient at that time.

I do not criticize the votes of those who voted for it; but what shall we say to our constituents, gentlemen, if we register a vote against this humane proposition? The man back there will say, "You voted \$100,000,000 to feed alien peoples, did you not?" "Yes." "What was your vote on the Smith-Fess bill that came up in the Sixty-sixth Congress? Was not that a measure to help our own people, to cooperate with the States, as you have done in the construction of good roads, and in the eradication of diseases and in the maintenance of the public health and in the establishment of vocational education for our own folks?" "Yes; that was what it was intended for, to bring some small measure of the Government's actual benefits to the front doors and hearthstones of the people," that my distinguished friend from Illinois [Mr. CANNON] was talking about a few moments ago. How are you going to justify a vote against this measure?

Mr. BLACK. Will the gentleman yield?

Mr. BANKHEAD. I yield to the gentleman from Texas.

Mr. BLACK. Does not the gentleman think when we come to vote on this bill in the House we ought to vote down the committee amendment that makes this applicable only to certain classes who are crippled and that we ought to make it universal in its application?

Mr. BANKHEAD. I have no objection to the amendment personally, offered a few days ago by the gentleman from Texas, but that is only a minor issue. Some gentlemen are seeking to make an issue here from the standpoint of the political angle, and that is the reason I took the floor—to warn my Democratic colleagues who are favorably impressed with the merits of this measure as a constructive, forward-looking, uplifting, upbuilding, regenerating measure, not to be drawn away from the allegiance dictated by their minds, hearts, and judgments by any false political issue that may be injected into the bill here upon the floor. [Applause.]

Mr. SEARS. What bill does the gentleman refer to in the Sixty-fifth Congress—the Smith-Fess bill?

Mr. BANKHEAD. I intended to refer to the Smith-Bankhead bill in the Sixty-fifth Congress. In that Congress I introduced a bill which was practically the same as this one. It was introduced at this session by the chairman of the committee, as is the practice, and it bears his name. There is no pride upon my part or upon his part as to the authorship of this bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Mr. Chairman, I should like to see if we can not reach an agreement to close debate upon this section and all amendments thereto. I ask unanimous consent that debate on this section and all amendments thereto close in 40 minutes.

Mr. GARD. There are several amendments.

The CHAIRMAN. The gentleman asks unanimous consent that all debate on section 1 of the bill and all amendments thereto close in 40 minutes. Is there objection?

Mr. GARRETT. Mr. Chairman, reserving the right to object, I want a few minutes on this matter. I am not particular about having the time on this section. I do not want to talk about any amendment to this section. I want to talk on the bill.

The CHAIRMAN. Is there objection?

Mr. GARD. I object.

Mr. FESS. I move that all debate on this section and all amendments thereto close in 40 minutes, the time to be controlled by the Chair.

The CHAIRMAN. The gentleman moves that all debate on this section and all amendments thereto close in 40 minutes.

Mr. CLARK of Missouri. Mr. Chairman, the gentleman has been here a good while, and I suggest that if he presses his motion we will simply waste time on a roll call or two, and that he had better give way for an hour on these propositions. Several gentlemen want to express their opinions.

Mr. FESS. Would the gentleman—

Mr. CLARK of Missouri. I do not want to say a word on it, but I do believe the gentleman will save time by giving an hour.

Mr. FESS. Will the gentleman yield?

Mr. CLARK of Missouri. Yes.

Mr. FESS. We spent all day on this section the other day.

Mr. CLARK of Missouri. Yes; I know.

Mr. FESS. I asked to read section 2 before we adjourned, but we were unable to read it. We have spent all the time today on this same section and we are just where we were when we adjourned the other day.

Mr. GARD. Will the gentleman yield?

Mr. FESS. I yield to the gentleman from Ohio.

Mr. GARD. The gentleman knows that we have not considered the bill at all to-day. We have had a speech by the gentleman from Illinois [Mr. CANNON] and one by the gentleman from Wyoming [Mr. MONDELL], almost entirely independent of the merits of the bill. There are a number of us who have amendments to the bill, and I would suggest to the gentleman that he make it an hour instead of 40 minutes.

Mr. FESS. Then I ask unanimous consent that debate on this section and all amendments thereto close in one hour.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that all debate on section 1 and all amendments thereto close in one hour.

Mr. FESS. The time to be controlled by the Chair.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WOOD of Indiana. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from Indiana offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. WOOD of Indiana: Page 2, line 22, after the figures "\$34,000" insert "Provided, That if any discrimination is made on account of color, sex, or religion, in the use of the funds herein authorized, the State so offending shall forfeit all its rights to further participation in the benefits provided for in this act."

Mr. BANKHEAD. I reserve a point of order against the amendment.

The CHAIRMAN. The gentleman from Alabama reserves a point of order.

Mr. WOOD of Indiana. Mr. Chairman and gentlemen of the committee, I offer this amendment so that if this bill becomes a law there will be no question, but that it will be impartially administered. By reason of the war thousands and thousands of women and girls have been thrown into the business activities of this country, in factory, in shop, and on farms, who were never engaged in such pursuits before. The census reports will show that more cripples have resulted among women and girls, in consequence of their new activities, than there have been in all the history of the country before. There should be no discrimination in this measure, therefore, on account of sex, as I think we will all admit.

By the same token there were thousands and thousands and tens of thousands of colored people who never worked in a factory or shop before in their lives who, by reason of the necessities of the occasion and because of the demand of the Government for the greatest productivity of these great factories, went into them, and colored help had to be resorted to in many sections of this country where it was never used before. This is notably true in my district. There are more than 20,000 colored men employed in the steel and other great industrial factories in that section of the country that were never employed in such capacity before. There is not a day that passes but what scores of these men are crippled. It would be a crime against humanity if this bill should become a law and these men were denied its advantages.

There is another thing this amendment provides, and that is that there shall be no discrimination on account of religious belief. We may assert what we think with reference to this proposition, but there is no question but what there is extant in this country a prejudice against certain religious beliefs in some localities. Discrimination has followed in times past against those who have certain religious beliefs, and it is fair to presume that what has happened in the past will happen in the future.

There can be no reasonable objection made to the adoption of this amendment. It will safeguard it so as to make its benefits apply everywhere, to all classes, as I think the framers of this bill intended that it should apply. There should be no question whether in the North, the South, the East, or the West of discrimination with regard to religious belief or color or sex, as to whom the benefits of this bill should apply. Therefore I hope the amendment will be adopted.

Mr. BANKHEAD. Mr. Chairman, I make the point of order against the amendment.

The CHAIRMAN. What is the point of order?

Mr. BANKHEAD. The amendment is not germane to the bill or to the section to which it is offered. It is not a limitation upon the appropriation. It undertakes to vest the exercise of judicial discretion and ascertainment in the executive branch of the Government. If the Chair will read the amendment he will see that it provides that if any discrimination shall be made in the expenditure of this fund on account of race or religion, the State so offending shall forfeit its proportional part of the appropriation.

An amendment is supposed to be self-enforcing. A point of order has been frequently made where an amendment involved the exercise of discretion which is in the nature of a judicial discretion that it is not germane, and certainly under the provisions of the amendment offered by the gentleman from Indiana it would be necessary for the Executive or that member having the disbursement of this fund and the expenditure to make a judicial ascertainment upon a possibly disputed state of facts as to whether or not there had been on the part of any State, or the officials of the State, any discrimination. I think from that consideration it is not a germane amendment, because it is not susceptible of any other reasonable or logical construction. It remits the ascertainment of a judicial decision on a state of facts admitted or disputed to the officer having the administration of this fund. Besides that, I do not think it is germane under the ordinary rules.

Mr. WOOD of Indiana. Does the Chair care to hear from me?

The CHAIRMAN. The Chair is ready to rule, but the Chair will hear the gentleman.

Mr. WOOD of Indiana. Mr. Chairman, there is no question about the amendment being germane. It is a restriction which may amount to a penalty. It limits and is on all fours with the terms of the bill. It may be a limitation on the appropriation. If a certain event happens, it is a limitation on the appropriation, and, in the event of discrimination, then the State so offending shall not participate further in this fund. There it becomes a forced limitation. It is a restriction in the

nature of a penalty and a restriction in the nature of a penalty may be germane. Limitations certainly are germane.

I call the attention to the language of the bill on page 3, where restrictions are provided for, commencing with line 21, that no portion of any moneys appropriated by this act for the benefit of the States shall be applied, directly or indirectly, to the purchase, preservation, erection, or repair of any building or buildings or equipment or for the purchase or rental of any lands.

There is a restriction. This is of the same character of restriction. The language of the bill provides that no portion of the fund shall be expended for buildings or grounds. If those in control used the funds to buy any buildings or grounds, they will be violating the law.

Mr. BANKHEAD. Will the gentleman yield?

Mr. WOOD of Indiana. Yes.

Mr. BANKHEAD. Does not the gentleman recognize the clear line of cleavage and distinction between a positive prohibition and one which leaves wide open the exercise of discretion or the determination of a judicial fact by an official?

Mr. WOOD of Indiana. There is not a session of Congress but what some restriction or reservation equivalent to the one proposed in this amendment is passed. There is no difference, so far as the result and the consequences are concerned, between the limitations and restrictions provided for in the amendment and those against the purchase of grounds and buildings. This is a positive restriction.

Mr. BANKHEAD. The language in the bill is a positive restriction, and so is germane.

Mr. WOOD of Indiana. This is a positive restriction on the happening of a certain event.

Mr. BANKHEAD. The bill says that you can not buy land; that is positive that you can not do it. Let me ask the gentleman: If this amendment were adopted, and in the gentleman's own State of Indiana it was said that there was discrimination on the question of religion, would not that involve a determination and judicial decision by the administrative officer, acting in a judicial capacity, as to whether or not upon a given state of facts there had been a discrimination?

Mr. WOOD of Indiana. Yes.

Mr. BANKHEAD. Is not the gentleman familiar with the rule that inhibits the placing of a judicial determination on an executive officer?

Mr. WOOD of Indiana. It would not call for the exercise of a judicial decision any more than the language in the bill does with reference to whether there has been an expenditure in the purchase of land or buildings. That would involve a judicial decision and it would involve hearings as to the facts and a final determination. This amendment is a positive restriction upon the happening of a certain event.

If that event never happened, there is no question but what there will be nothing to inquire about, any more than if there is no attempt ever made at the purchase of real estate. There would be no cause for investigation or judicial decision. Suppose that instead of having this reservation in reference to the purchase of real estate there was a qualifying clause that a certain character of real estate might be purchased. That would involve the same character of judicial inquiry that might be involved in the amendment proposed. It is equally positive, and the other would be equally positive.

Mr. BANKHEAD. But the gentleman loses sight of the fact that that language is already incorporated in the bill presented by the committee.

Mr. WOOD of Indiana. It does not make a bit of difference. The committee can not arrogate to itself the entire right to make limitations or reservations.

The CHAIRMAN. The Chair is ready to rule. The Chair is inclined to think that if the pending bill as reported by the committee did not make several reservations or provisions as to what should be done further reservations would not be in order. But in view of the fact that this section already makes five reservations the Chair thinks it is competent for the House by amendment to add one more reservation to the section. If there was only one reservation, the Chair does not think it would be competent to add a further reservation as proposed by the gentleman from Indiana, but under the practice of the House it seems to the Chair, in view of the language of the bill making several reservations as to how the money shall be expended, or as to the conditions under which it shall be expended, that it is well within the rules of the House for the Committee of the Whole to add one or more reservations, as it sees proper to do so. The Chair, therefore, overrules the point of order.

Mr. BANKHEAD. Mr. Chairman, will the Chair yield for a suggestion?

The CHAIRMAN. Certainly.

Mr. BANKHEAD. What does the Chair think about the point of order which I suggested, that it involves the vesting of judicial authority in the Executive, in the exercise of judicial discretion to ascertain whether or not a certain state of facts amounts to a discrimination.

The CHAIRMAN. The Chair is inclined to think that that matter ought to be decided by the committee itself upon the merits of the question, and the Chair overrules the point of order on the matter of germaneness and holds the matter to which the gentleman refers to be something for the Committee of the Whole to decide upon its merits.

Mr. BANKHEAD. I suggest to the Chair, with all due respect, that that does not settle the parliamentary question. That leaves the decision of the point of order to the committee.

The CHAIRMAN. The Chair overrules the point of order.

Mr. SMITH of Michigan. Mr. Chairman and gentlemen of the House, I have listened with a great deal of interest to the discussion of this important question. There is not a man in this House who is not in favor of education against ignorance. There is no Member of the House that does not believe that a sound man is preferable for our national welfare to a man who is incapacitated as an economic question. We can not afford, therefore, to vote down this bill. Take a nation that is enlightened and compare it with a nation that is enshrouded in ignorance and darkness. I voted for an immigration bill that restricted people from entering the United States who could not read or write 20 words in their own language, and I would vote for such a bill again. We can not afford to vote down this bill and throw these men in the junk heap who are injured in our industries. I say, as an economic question, so far as our country is concerned, a man who can support himself is preferable to one who can not, the one being an asset and the other a liability. It changes a man from a consumer to a producer. What will a sound man add to the national wealth in a year? Take a farmer's boy who has lost a hand or a foot and who can no longer support himself. Fit him for useful employment and you make him an asset to the Nation, and he will be worth \$500 a year in adding to the wealth of the Nation. He can be fitted for a teacher, a bookkeeper, a professional man, or for a mechanic in the industry instead of going through life a dependent. There is that difference between a man who is able to support himself and add to the wealth of the Nation, in being a useful member of society, of value to his country, and a man who is not.

What is there against this bill; what is there against the good things that can be said of it? You talk of education. I would not be standing before you to-day if it was not for the schooling in the little red school and our free institutions of learning. There is no value that can be put upon education. Compare a cripple who has become incapacitated with a man who can go ahead and transact the ordinary business of life. The latter adds to the wealth of the Nation. The only thing they say against this bill is—what? They say that we can not afford it at this time; that we are in debt. The gentleman from Pennsylvania [Mr. WATSON] informed me the other day that our national wealth is \$265,000,000,000. At the close of the Civil War our national wealth was only \$18,000,000,000.

No, gentlemen, the danger to-day in our country is not the question of our indebtedness, important as that is. The question to-day of national issue is the spirit of unrest that is sweeping over our land. This unrest is brought about by a desire and an attempt to engraft new and dangerous principles into our form of government. Bolshevism has no place in our system of government. It is a dangerous experiment. We believe in the right and opportunity of every person to acquire and hold property, we believe in our homes, and we believe in the sacred right of wedlock. Our Constitution has been the basis of good government for all the nations of recent years that desired to change their form of government. Under it we have become great and powerful. Our forefathers and its defenders gave their lives freely for it, and it is our duty to preserve and protect it.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

Mr. SMITH of Michigan. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The Chair would state to the gentleman that a few moments ago the committee decided upon one hour's debate, the disposition of the time to be left to the Chair. The Chair has been trying to give five minutes to a gentleman upon each side, for and against, as far as he is able to discover how they stand. The Chair doubts that it is within the province of the Chair to submit the request for unanimous consent.

Mr. SMITH of Michigan. Then give me one minute.

The CHAIRMAN. The Chair does not think that he can do it with propriety. The Chair is very sorry, but since he must live up to the limit of the rule—

Mr. SMITH of Michigan. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the Record, and to farther say that I would not vote a million and a half dollars for hog cholera and then refuse to vote for this bill.

Man's inhumanity to man
Makes countless thousands mourn.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to extend his remarks in the Record. Is there objection?

There was no objection.

Mr. BLACK. Mr. Chairman, a parliamentary inquiry—

The CHAIRMAN. The gentleman will state it.

Mr. BLACK. Are we to vote on the amendments as offered or at the end of debate?

The CHAIRMAN. The Chair thinks the proper way is to vote on the amendments at the end of the debate, but that is a matter for the committee to decide. The Chair would not presume to say how it would be disposed of.

Mr. SUMNERS of Texas. Mr. Chairman, a parliamentary inquiry and a suggestion. The disposition of these pending amendments will determine considerably the attitude of Members toward the bill. Now, it seems to me, with all due respect to the Chair, that when these amendments are discussed they ought to be disposed of, because then we can discuss the bill, having in mind whether these amendments are a part of the bill or have failed to become a part of the bill.

The CHAIRMAN. It is a matter of perfect indifference to the Chair how it is decided, whether disposition be made at the close of the discussion on each amendment or at the end of the hour's discussion. The Chair thinks some gentleman ought to state what disposition the committee wants to make of this and how.

Mr. GARRETT. May I make the suggestion to the Chair that it seems to me the gentleman from Texas is correct? Now, it is frequently the case with a rule brought in providing for amendments to a proposition in the House to provide that they shall be voted on at the end of debate, but within my recollection—I may be in error about it—that the orderly procedure when the House is in Committee of the Whole House on the state of the Union is for an amendment to be proposed, debated, and then voted on, and then take up the next. Of course, that does not affect the time limit at all.

The CHAIRMAN. Well, if that is the judgment of the committee, the Chair is perfectly agreeable.

Mr. GARD. Mr. Chairman, I move that the amendments be voted upon separately.

The CHAIRMAN. The Chair would like to ask the chairman of the Committee on Education what disposition he thinks ought to be made of these amendments, as to whether they should be disposed of before or at the close of the hour?

Mr. FESS. I think it would be more satisfactory to the committee if they were voted upon after each amendment was offered and debated—10 minutes' debate and then take a vote.

The CHAIRMAN. That is, five minutes' debate for and against each amendment?

Mr. JONES of Texas. Would not that likely bring about a situation like this, that probably all the discussion in the hour will be on one amendment and there will be no time on the other amendments?

Mr. FESS. It would all close at the end of the hour.

Mr. BEE. May I ask the gentleman from Ohio—I want to be heard on this amendment offered by the gentleman from Indiana [Mr. Wood]. I do not care to discuss any other amendment, but I do want to be heard in opposition if I get a chance.

Mr. FESS. I think the situation mentioned by the two gentlemen from Texas reveals a rather delicate situation. Most of them want to debate this one particular amendment before we vote on it; is not that the case?

Mr. BLACK. I have another amendment.

Mr. FESS. Perhaps we had better discuss them and vote on them at the end of the hour.

The CHAIRMAN. The Chair thinks that would be the more satisfactory way.

Mr. MACCRATE. Mr. Chairman, a parliamentary inquiry.

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. KEARNS. I think that the motion of the gentleman from Ohio was that all debate upon this section and all amendments thereto should end in one hour. I take it that all of this talk is to come out of that hour.

The CHAIRMAN. Oh, no.

Mr. KEARNS. The motion was to close debate at the end of an hour.

The CHAIRMAN. No; that part of the debate that had reference to the point of order is not taken out of the hour either.

Mr. KEARNS. I am only speaking in reference to that particular motion. The motion was that all debate close within an hour; it was not that there could be one hour's debate.

The CHAIRMAN. If the floor is occupied without debate, of course—

Mr. KEARNS. Mr. Chairman, I have not had an answer to my inquiry. What is the ruling of the Chair?

The CHAIRMAN. The ruling of the Chair is that debate consists of speeches made definitely and formally upon the question at issue.

Mr. KEARNS. But that is not the motion—

The CHAIRMAN. That is the understanding of all such motions.

Mr. MONDELL. If the Chair will allow me, there was a reservation on the point of order, and during that reservation the gentleman did discuss the merits of the amendment.

The CHAIRMAN. That will be taken out, of course, but the discussion of the point of order itself is not to be taken out of the hour. There are to be twelve 5-minute speeches, as the Chair understands by the motion of the gentleman from Ohio, for and against the amendment or against the bill.

Mr. KEARNS. That is not the motion.

The CHAIRMAN. That is the ruling of the Chair, whatever the motion was.

Mr. GARD. Mr. Chairman, I made a motion which I will repeat again in a somewhat modified form now—that this amendment offered by the gentleman from Indiana [Mr. Wood] be voted on at the end of five minutes' additional time.

The CHAIRMAN. Does the gentleman make a motion to that effect?

Mr. BEE. May I ask the gentleman—

Mr. GARD. That gives the five minutes to the gentleman.

Mr. BEE. I have no objection.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The gentleman from Texas [Mr. BEE].

Mr. BEE. Mr. Chairman and gentlemen of the committee, I do not know if the gentleman from Indiana is present or not—

Mr. WOOD of Indiana. Here I am.

Mr. BEE. I am not going to discuss the merits of this bill at this time, but I am going to discuss the amendment offered by the gentleman from Indiana. In doing so may I be permitted to state that there is no pleasanter recollection of my boyhood days than the recollection of the old negro family servants of my father around the family fireside; the recollection of the fidelity, the truth, and loyalty portrayed to me by my people of the action of these old slaves during the trying days of the war, when the men went away to battle and the women and children were left under the protection of these people in absolute safety? I do not approach this question in any sense of race discrimination. I want to suggest to my friend from Indiana [Mr. Wood] that what we do not want in this country is a race question, and the gentleman from Indiana himself raises the race question by his amendment. Let us see—

Mr. WOOD of Indiana. Will the gentleman yield?

Mr. BEE. Yes, sir.

Mr. WOOD of Indiana. Do I raise any more of a race question than I do a sex question or a religious question?

Mr. BEE. We might as well be honest about it, one with the other. We know and the gentleman from Indiana knows that this amendment is not introduced because he is afraid that some Roman Catholic, or some Episcopalian, or some Baptist, or some Methodist, or some man of the Hebrew persuasion will not receive the benefit of this measure. The gentleman from Indiana knows that this measure is not introduced because he is afraid some unfortunate girl whose arms had been taken off in a factory or who had been injured in the field is not going to receive the benefits of this measure.

Mr. WOOD of Indiana. Will the gentleman yield further?

Mr. BEE. Yes, sir.

Mr. WOOD of Indiana. Does the gentleman think any discrimination, then, should be made against a man because he is black?

Mr. BEE. No, sir.

Mr. WOOD of Indiana. Then why does the gentleman object to this amendment?

Mr. BEE. Because the gentleman has raised that very issue himself, when nobody else has done so. In the State of Texas, where I have been a member of the legislature, we have provisions that there shall be no discrimination in the distribution

of public money. If this law is passed and is carried into effect, those same provisions will apply against the discrimination on account of color. Let me say to him that whenever we build a schoolhouse in Texas for white children we build one equally as good for the negro children. When we employ a teacher and fix the salary in a white school, we employ a teacher and fix the same salary in the colored school.

Mr. WOOD of Indiana. Will the gentleman yield further?

Mr. BEE. Yes, sir.

Mr. WOOD of Indiana. I understand that is true in Texas, and I understand it is true in North Carolina, but unfortunately there are States in the South where that is not true.

Mr. BEE. The gentleman is begging the question now.

Mr. WOOD of Indiana. No; I am not begging the question. I am stating the situation.

Mr. SEARS. I wish to say that the situation suggested by the gentleman from Texas [Mr. BEE] is true in the State of Florida.

Mr. BEE. In Texas we have institutions for imbecile children. We provide the same institutions for negro children as for white children. Let me say that in the constitution of the State provision has been made for the care of the insane, for the care of the blind, for the care of the deaf and dumb, and we carry the same provision for the negro as for the white people. The Southern States are taking care of the negro. Let the Northern States do half as well and all will be well.

This amendment ought not to be adopted in this bill, because it is not necessary and is known not to be. [Applause.]

Mr. JONES of Texas. Mr. Chairman, I desire to call the committee's attention to the committee amendment that was adopted the other day—the first amendment. I assume there will be a separate vote in the House on this amendment, and I do not think it ought to be adopted, for the reason that if the amendment is adopted a farmer who has worked 8 or 10 hours a day from practically the entire year may be hurt in going to town or on the way to a picnic or after the day's work is over, and would not have the benefits of the bill, whereas a tramp who has worked only one day and happens to be injured on that day would come within its provisions. Again, if a man who works in one of the industries of the country, and who labors practically all the time, happens to be injured while he is taking a little recreation or a little trip to some place of amusement he would be deprived of the benefits of the bill, whereas a man who had done very little work and who had happened to be employed three or four days would have all the benefits of the bill.

Now, as originally drafted the benefits of the bill accrue to every man who is injured in industry or otherwise, whereas under the amendment that was adopted by the committee they are limited to certain industries. In providing the funds to support institutions that would be created under this bill you will provide the funds by general taxation upon every man. If you are going to limit the benefits to certain industries you ought to tax only those industries. That is the theory of the compensation law.

Mr. PARRISH. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. PARRISH. Is it not a fact that the bill introduced by Senator SMITH, known as Senate bill 18, and passed on the 23d of June this year, has the very wording that you suggest?

Mr. JONES of Texas. Yes; I understand that it has.

Now, the primary purpose of this bill is not to protect any particular industry, but it is to provide that wrecks who fall by the way, the men who are injured, shall not be a charge on society but shall be made an asset to society. I submit that a workman who happens to be injured in an automobile accident or in taking some form of recreation, if he loses a leg or arm, is just as much a charge on society as if he had been injured by a broken piece of machinery.

Now, it is recognized in all the laws we pass in this country that recreation is just as essential, or practically so, as work itself. That is the theory and the basis for the eight-hour day, and, in fact, of all of the legislation that has been passed that is beneficial to the workmen of this country. And if it is true, then we ought not to say that because a man happens to be injured in one way he should and in another he should not have the benefits of this bill.

Mr. SIEGEL. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. SIEGEL. Does the gentleman know of any State that has adopted the provision that he is urging now?

Mr. JONES of Texas. I know the Senate adopted it, and the committee itself, when they first took up this bill, wrote into it that provision, and then when the committee came into the House and presented this bill they offered an amendment which would

limit its application. When we come to a separate vote in the House, we ought to vote in the original provision by defeating the committee amendment.

Mr. NEWTON of Minnesota. Mr. Chairman, will the gentleman yield there?

Mr. JONES of Texas. Yes.

Mr. NEWTON of Minnesota. I will say to the gentleman, in answer to the inquiry of the gentleman from New York, that the State of Minnesota has a bill which is in the very phraseology of the original act.

Mr. JONES of Texas. I thank the gentleman for the information. If the legislation is enacted at all, it should be general in its application. If the committee amendment remains in the bill, it will deprive the agricultural sections of many of the advantages of the measure.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. GARD. Mr. Chairman, I have prepared, and submitted, and called to the attention of the chairman four amendments. I will ask the Clerk to report the first and last amendments that I have submitted.

The CHAIRMAN (Mr. LONGWORTH). Without objection, the amendments will be reported as requested by the gentleman from Ohio.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 1, line 7, after the word "arts," insert "which disability was not caused by the willful misconduct of the person disabled."

Mr. GARD. I will ask that the last amendment be read, which embodies the same principle.

The CHAIRMAN. Without objection, the Clerk will report it.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 4, line 6, after the word "duty," strike out the period, insert a comma, and add the following: "but such courses for vocational rehabilitation shall not be available to any such civil employee of the United States whose disability was caused by his own willful misconduct."

Mr. GARD. Mr. Chairman and gentlemen of the committee, in offering these amendments I am following the basis given by the present compensation law of the United States as passed by the Sixty-fourth Congress, and which is found in Public Document No. 267, where the payment of compensation to a person injured in the course of employment or in the performance of duty—the two terms being used together—is made unless the injury is the result of his own willful misconduct. I have embodied that in these two amendments. I do not desire to discuss the matter further, since it is very apparent.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes.

Mr. McKEOWN. In case a man should be crippled by reason of his misconduct, as you say, then there would be no chance for him in the future if he repented or wanted to do right. He would have no opportunity to get an education.

Mr. GARD. It is not a question of repenting or wanting to do right. It is just a question of the extent to which you want to carry this bill.

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. GARD. Yes; surely.

Mr. FESS. I will say to my friend and colleague that this matter was discussed in the committee, and it was not accepted, because the bill was written upon the principle that it was an economic proposition for the Government. Even though the crippling was the result of a man's own negligence, he should be rebuilt anyway; and the majority of the committee decided to omit that particular limitation. It was discussed in the committee quite extensively.

Mr. CHINDBLOM. Mr. Chairman, will the gentleman yield?

Mr. LAYTON. I just want to ask one question.

Mr. GARD. I will yield to the gentleman from Illinois for a question.

Mr. CHINDBLOM. I want to ask if the language the gentleman suggests is taken out of the soldier compensation act?

Mr. GARD. No; it is taken out of the compensation act for civil employees, passed in the Sixty-fourth Congress.

Now I yield to the gentleman from Delaware.

Mr. LAYTON. If that is the prime purpose, the animating purpose, of this bill, I would like to ask why the original amendment was made?

Mr. GARD. The gentleman from Ohio [Mr. Fess] can answer that. I do not know.

Now, Mr. Chairman, I ask that the second amendment I have offered be reported for the information of the committee.

The CHAIRMAN. Without objection, the amendment will be reported.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 3, line 5, after the word "used," strike out the words "by any institution for handicapped persons."

Mr. GARD. Mr. Chairman and gentlemen of the committee, I move that that language be stricken out, because I do not think the language of the bill carries in its real meaning the use of any money by an institution. It is true that the only way that it can be done is that the institution may be dealt with by the boards, the State boards, in some of their corrective measures, in their measures of rehabilitation. The phrase "used by any institution for handicapped persons" seems to me to mean used by the institution itself, and I am sure that is not contemplated. I also have in mind the expression "handicapped persons" as being extremely liberal and one to which almost anything could apply.

Mr. BLACK and Mr. KALANIANA'OLE rose.

The CHAIRMAN. The Chair will recognize the gentleman from Hawaii.

Mr. KALANIANA'OLE. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Hawaii offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. KALANIANA'OLE: Page 1, line 10, after the word "States," insert "and the Territory of Hawaii."

Mr. BLANTON. Mr. Chairman, I make a point of order against the amendment. It is not germane to the bill, which provides for rehabilitation in the States. If the gentleman desires to discuss it, I will withhold it for the present. I will reserve it.

Mr. KALANIANA'OLE. I would like to discuss it.

The CHAIRMAN. The gentleman from Hawaii is recognized.

Mr. KALANIANA'OLE. Mr. Chairman, it has been interesting to me to listen to the debate that has been going on concerning the rehabilitation of these cripples and also as to the amount of appropriations made for the extermination of diseases in animals, and so on. I was just wondering if you gentlemen realize that Hawaii is a part and portion of the mainland. Hawaii is the only full-fledged Territory left, and I see no reason why the Territory of Hawaii should not be included in any benefits that may accrue from bills that are brought up in the legislative Halls.

Mr. BLANTON. Mr. Chairman, will the gentleman yield for a question?

Mr. KALANIANA'OLE. Certainly.

Mr. BLANTON. I agree with the gentleman, and if we pass any measure at all of this kind I would vote for such an amendment to include the Hawaiian Territory. But is not that a matter which should be provided for and considered by the Committee on the Territories?

Mr. KALANIANA'OLE. I do not see any reason why I should go to the Committee on the Territories on a general bill of this kind. I understand that we should go to the Committee on the Territories if a bill to this effect applying only to Hawaii has been introduced. I am now asking the House of Representatives to include Hawaii in this measure. Perhaps the Committee on Education may run off with the idea that Hawaii is a place only where they have hula skirts and play the ukulele under the palms, and so on. [Laughter.]

But I want to say to you, gentlemen, that Hawaii has its industries. It has its sugar-cane raising, and there is no country on the face of the earth where the raising of sugar has reached a higher point scientifically than in Hawaii. It has its pineapple-raising industry and other industries. Why should not the people who are working in these industries be entitled to the benefits of this bill? [Applause.] I see no reason at all. You are excluding us from them, yet at the same time you want us to pay taxes to help the people of the States. Do you call that justice? [Applause.] Do you call it right that we, the citizens of the Territory of Hawaii, shall pay for the disabled men of the States? If you eliminate us from the benefits of this bill, for goodness' sake eliminate us from paying taxes for the benefit of the disabled people of the States. [Applause.]

Mr. FESS. We have omitted to give these benefits to Hawaii, Porto Rico, and the Philippines.

Mr. KALANIANA'OLE. Porto Rico and the Philippines are possessions, but Hawaii is a part of the mainland and a full-fledged Territory. [Applause.] Hawaii came into this Union under a treaty of annexation. It did not come to this country under conquest. [Applause.]

Mr. FESS. Will the gentleman yield for another question?

Mr. KALANIANA'OLE. I will.

Mr. FESS. I think there will be no danger that anything desired by Hawaii that it ought to have, in the line of vocational rehabilitation, will be denied by the Committee on the

Territories, which is in charge of legislation for Hawaii. That is the proper committee.

Mr. KALANIANA'OLE. The proper committee, I believe, is the Committee on Education.

Mr. FESS. The Committee on Education has not jurisdiction of matters in Hawaii.

Mr. KALANIANA'OLE. Absolutely. Why should I go to the Committee on the Territories when this bill was considered and reported out by the Committee on Education?

Mr. FLOOD. Should not Alaska be included if Hawaii is?

Mr. KALANIANA'OLE. Certainly.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I make the point of order.

Mr. McLAUGHLIN of Michigan. I ask unanimous consent that the gentleman from Hawaii may have five minutes additional.

The CHAIRMAN. That is not possible under the agreement. The Chair will hear the gentleman from Texas [Mr. BLANTON] on the point of order.

Mr. BLANTON. Mr. Chairman, I do not desire to make any extended remarks on this point of order. I think the point of order is clearly well taken. The bill is to provide vocational rehabilitation for men in the States. It makes no provision for the Territories. All legislation in respect to our Territories, under the rules of the House, should be reported from the Territorial Committee. Clearly the bill seeking to provide for vocational rehabilitation for persons living in the States does not admit of amendment to provide vocational rehabilitation for persons living in the Territories. I therefore submit that the Chair should sustain the point of order.

The CHAIRMAN. Does the gentleman from Hawaii desire to be heard on the point of order?

Mr. KALANIANA'OLE. I do not think the point of order is well taken. This bill is not particularly for the States, so far as I understand it.

The CHAIRMAN. The gentleman will observe that in line 10, page 2, the Territories, outlying possessions, and the District of Columbia are specifically excluded from the population ratio. Under those circumstances, the Chair is inclined to think that the point of order is well taken, and the Chair sustains the point of order of the gentleman from Texas [Mr. BLANTON].

Mr. BLACK. Mr. Chairman, I send to the Clerk's desk an amendment which I would like to have reported at this time.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 2, amend the committee amendment which has been adopted by striking out, in line 4, the figures "1920" and insert "1921," and on line 6, strike out "1921" and insert "1922," and in line 7, strike out the figures "1922" and insert "1923."

Mr. BANKHEAD. Mr. Chairman, I reserve a point of order against that amendment.

Mr. BLACK. Mr. Chairman, I hope the gentleman will not make the point of order, for reasons that I will endeavor to state in the five minutes I have under my control.

The committee amendment adopted when this bill was last up for consideration says that for the fiscal year ending June 30, 1920, the sum of \$500,000 shall be appropriated.

Mr. BANKHEAD. Authorized.

Mr. BLACK. Authorized. We are now already well into the present fiscal year. This bill only authorizes an appropriation for the present fiscal year. It does not make a direct appropriation, and if the bill passes now it will be at the next regular session of Congress before the appropriation will be embodied in the proper annual appropriation bill. I dare say it will be well into 1920 before the appropriation will be available. Therefore I think the authorization should provide that the first appropriation shall be made for the fiscal year which begins June 30, 1920, rather than the one which ends June 30, 1920. What brought this matter to my attention was the debate on the Smith-Hughes vocational bill. We took that up on January 2, 1916. Of course, we all know that the fiscal year 1917 had then begun. When the bill was up in January, 1916, that matter was brought to the attention of the chairman of the committee, Mr. Hughes, by Mr. LENROO, now a Senator from the State of Wisconsin, and I quote from what he had to say:

Mr. LENROO. Mr. Chairman, I call the attention of the chairman of the committee with reference to the date in this bill as reported. It was reported to the House on February 12, 1916, nearly one year ago; and very properly the dates named in the bill at that time related to the fiscal year 1917. In view of the present situation and the condition of the Treasury, I want to ask the gentleman whether he does not think all of these dates ought to be moved forward one year?

Mr. HUGHES. I will state to the gentleman that I had intended to offer that amendment.

Mr. LENROO. Will the gentleman make that motion?

Mr. HUGHES. I will offer that amendment, that all the dates be moved ahead one year, that 1916-17 be made 1917-18 and 1925 be made 1926.

Mr. MANN. I suggest to the gentleman that he ask unanimous consent that all the dates be corrected.

Mr. HUGHES. I ask unanimous consent that they be moved forward one year.

The CHAIRMAN (Mr. BYRNS of Tennessee). The gentleman from Georgia [Mr. Hughes] asks unanimous consent that the bill be so amended as to move up one year the various dates set forth in section 2. Is there objection?

There was no objection.

Mr. BANKHEAD. If the gentleman will allow me, there was a good deal of difference as to the length of time involved in that measure and in this one before the beginning of the next fiscal year.

Mr. BLACK. There was a difference in the point of time of the passage of the bill, but in the point of time for the appropriation it will be the same, because the gentleman will undoubtedly agree with me that if we pass this bill now there will be no money appropriated for the purpose until the next session of Congress, and I dare say the appropriation will not be available until within three months of the close of the fiscal year. Therefore it seems to me that every common-sense consideration argues for the proposition that this bill authorize the first appropriation to begin July 1, 1920, which would be for the fiscal year of 1921.

The CHAIRMAN. Does the gentleman from Alabama make the point of order?

Mr. BANKHEAD. I do not feel like exercising the prerogative of the chairman of the committee on that matter, if the chairman of the committee believes the point of order ought not to be pressed.

Mr. FESS. I think we ought to press the point of order. I do not want to argue it in the hour.

The CHAIRMAN. The Chair is very clear that the amendment is subject to the point of order.

Mr. BLACK. Mr. Chairman, I will offer another amendment in lieu of that, which I think is in order.

The Clerk read as follows:

Page 2, after the word "employment," in lines 3 and 4 as amended, strike out the language "for the fiscal year ending June 30, 1920, the sum of \$500,000." And on line 18, same page, after the word "section," strike out the language "for the fiscal year ending June 30, 1920, the sum of \$66,000."

Mr. SEARS. Mr. Chairman, I offer two amendments.

The Clerk read as follows:

Page 3, line 7, after the word "act," strike out all of line 7 and line 8 down to the semicolon and insert "and the Federal board shall furnish to the State board general plans and specifications and such other information as to the best method for training which they may be able to furnish."

Page 3, line 8, after the word "board," strike out all down to and including the semicolon in line 17.

Mr. SEARS. Mr. Chairman, if the first amendment should fail, the second amendment is useless and should not be adopted. Therefore I will not offer the second amendment if the first amendment is not adopted.

Mr. Chairman, I dislike to offer amendments, being the ranking Democratic member of the committee, because during the consideration of the bill I was compelled to be absent on account of serious illness in my family. Therefore I trust the committee will not misunderstand or misconstrue the motive that impels me in offering the amendments I have offered.

No one is more ready and in accord with legislation to meet the needs of the cripple than am I; no one appreciates the aid of the Government in rendering these people assistance more than myself. But I contend, and shall continue to contend, that the money we appropriate for that purpose should go for the purpose intended, and not be spent in salaries, in many instances, of some people holding positions, taking it away from the people we intend to help and from the aid that Congress intends to give them. It may be contended that, because the Government gives Florida one dollar for each dollar that Florida gives to these people, Florida ought to bow her knee and go to the Government for plans and specifications. On the contrary, I should say that Florida or any other State that has been carrying on this work and has made advancement along the line of rehabilitating the cripples—the Government should go to that State. Why should New York and Massachusetts, which will spend enormous amounts of money along this line if this bill becomes a law, report to the Federal Government and be estopped from putting into effect any system of theirs which does not receive the indorsement of the Federal board in Washington?

I believe that each State is better capable of handling this proposition than is the National Government. I believe the members of the State board are more in touch with the cripples of that State, and that they are as philanthropic as the Federal Government. I think they better understand local conditions,

If you pass this bill as it is written, mark my prediction that much of the appropriation will be spent in salaries, and, in fact, more than will be spent in the States in rehabilitating the crippled people.

Mr. FESS. Will the gentleman yield?

Mr. SEARS. Yes.

Mr. FESS. I have read the gentleman's amendment, and it seems to me that his amendment denies to the State the plan to be adopted and puts it in the hands of the Federal board—the very thing that the gentleman does not want to do.

Mr. SEARS. The amendment was hurriedly drawn, but I think if the gentleman will read it carefully he will see that he is mistaken. If, as stated by the report, there are 280,000 cripples, and each should apply for assistance, each one would receive less than \$4 per annum, while many people, unless my amendment is adopted, will be receiving \$2,500 and more per annum in salaries. Certainly this House does not intend to do that, and I therefore trust my amendment may be adopted.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SUMNERS of Texas. Mr. Chairman and gentlemen of the committee, I have listened with a great deal of interest to the remarks that have just been made by my distinguished colleague, the former chairman of the committee. He states on his own responsibility as a legislator on the floor of the House that the States understand the needs of their cripples better than does the Federal Government, and I agree with him.

Let us see what the bill does. I regret to differ from my distinguished colleagues who champion the bill. The bill does not provide the money for the establishment of a single institution to rehabilitate a single cripple. This bill finds no new source of money supply. It goes to the pockets of the American taxpayers for every dollar. We can not deceive ourselves, and the time is coming when the American people, who are paying the taxes, are going to ask us why we are continuing to put on the backs of the American taxpayer these unnecessary Federal employees. Let us take a common-sense view of it. There is only a certain amount of money that the people can put up for the rehabilitation of cripples.

Is not that a sound proposition? Everybody must agree to it. That money can come only from the pockets of the American taxpayers; whether you get it through Federal or State control, it comes from the same pockets. What do we do in this bill? I charge this, and I do it respectfully, against the committee that brings in the bill: They propose that for every dollar the humbly disposed American people are appropriating through the Congress for the cripples of this country they will take out 20 cents the first year for Federal administrative expenses, taking it away from the crippled men and putting it in the pockets of the Federal employees created by this bill and for their expenditure. There is not a man here that can successfully deny that. In the future, upon every dollar that the people are devoting through the Federal Treasury to the rehabilitation of these cripples you will take 15 cents and put it in the pockets of these Federal employees, and into their expenditures, that do not teach a single one of these men nor help them to rehabilitation. I can not see the common sense in the method of procedure provided by this bill. This is what is proposed, and gentlemen will not deny it. We propose to go to the people of a given State, for instance, and get from them, under our system of Federal taxation, their share of the money authorized by this bill to be appropriated, and we bring that money to Washington. Then we send back to them their proportional share under this bill. But for every \$120 which we get from them we send back to them only \$100. We charge them \$20 on every \$120 for bringing the money up here and sending it back and for acting as overlord in telling the people who put up the money how they shall spend it. These Federal employees are toll takers, who stand along the pathway where the American people are trying to put their money into the rehabilitation of crippled manhood and take \$20 out of every \$120 and put it into their own pockets or apply it to their own expenditures. [Applause.] Talk about the politics of it! We ought not to consider that; but the time is not far distant when we shall go home to our people, who are now feeling the burden of direct Federal taxation, and they are going to ask us, "Could you not trust your State? Why are you duplicating the machinery of government and putting upon our backs the salary of unnecessary officeholders who live up in Washington?" You will have to answer that question, and you ought to have to answer it.

I have voted for a good deal of this sort of stuff, and I have voted for a whole lot more of it in the past than I am going to vote for in the future. The States are equipped to do this work. I say to my friend, the distinguished gentleman from Florida [Mr. SEARS], that he has put himself in an attitude, by his amendment, with all due respect to his ingenuity, his judgment,

his fidelity to his country, and his ability as a statesman, where under his own words he has no right to take the money from the cripples of America and put it into the pockets of a lot of new officeholders in Washington.

Mr. BANKHEAD. Mr. Chairman, will the gentleman yield?

Mr. SUMNERS of Texas. Yes.

Mr. BANKHEAD. What does the gentleman mean by taking it from the cripples and putting it into the pockets of people in Washington?

Mr. SUMNERS of Texas. I mean there is only a certain amount of money—the gentleman must agree there is a limit upon the money that the American people can pay for the rehabilitation of their cripples, and when you take from that limited, inadequate amount \$20 out of every \$120, as you propose to do, the first year, and leave that \$20 in Washington to pay the salary and expenses of these unnecessary Federal officers, you take that money from the cripples who need it.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. KELLY of Pennsylvania. Mr. Chairman, the logic of the gentleman from Texas [Mr. SUMNERS] seems to be that the best way to solve a national problem is to do it in piecemeal fashion, with 48 distinct and separate plans. I disagree entirely, for this great work of human salvage means changing a national liability into a national asset. Why should not America assure the worker in her industries, who enters a daily fight with modern machinery, that his injury will not be his despair but that he will be given a fair chance to begin again? The greatest problem before any nation is that of developing all its resources to the utmost. Here is a chance to take men who would otherwise be derelicts and burdens upon society and make them self-supporting, self-respecting members of society.

Mr. Chairman, during this entire debate, opponents of this bill have vigorously used the argument of economy, of Government interference with private matters, of bureaucratic extensions of power.

It is exactly the same arguments used against every new idea that seeks to put human rights above property rights. On the plane of the State legislature this same battle has been fought out in the past in almost every State in this Union on even so fundamental an issue as the public-school system.

I could not help comparing, during this debate, the similarity of arguments used against this bill with those urged in the Pennsylvania Legislature against the public schools long ago, and Pennsylvania was one of the first States to establish an all-embracing school system.

It was a long battle. The colonial charter and the constitution of 1776 had no reference to schools. The constitution of 1790 made provision for schools for paupers, but few would take advantage of an opportunity with such a stigma upon it.

In 1834 the legislature passed a law providing for an optional school system, and each school district was required to vote as to whether it desired it or not. At the first election 592 districts accepted it and 485 rejected it.

Then, the issue was joined, and one of the most bitter battles in legislative history followed in the next session of the legislature.

The opponents came forward with their arguments of economy and their declaration that education is a private matter. They declared that such action was an infringement of the rights of the individuals and that it was sure to result in confiscation of property.

The State senate at once repealed the act of 1834 on the arguments of these objectors. The bill went to the house, where it wavered in the balance until a young man from Gettysburg, Thaddeus Stevens, took the floor. He made one of the most masterly speeches ever delivered on the subject of public education. He admitted that it was a new idea, but declared that it was not dangerous simply on that account. He declared that by the very law of self-defense the Commonwealth should protect itself against an army of ignorance, which would threaten free institutions.

By a vote of 50 to 30 the House amended the bill, and provided for a complete system of public schools on the principle that every child is entitled to an education. The Senate was forced to accept the amendment or have all legislation fail, in either event the public-school system being continued.

That fight has never had to be made since, and Pennsylvania is to-day expending \$50,000,000 a year for its public schools.

Mr. CANNON. Mr. Chairman, will the gentleman yield?

Mr. KELLY of Pennsylvania. I have very little time, but I will yield.

Mr. CANNON. Well, Pennsylvania settled the matter, and you have the public school.

Mr. KELLY of Pennsylvania. Yes; Pennsylvania did settle the matter in spite of every obstacle. She decided that education and development were matters of government, and that no argument of economy should prevail. And I want to say further that just as no sane man to-day opposes the idea of free education for every child, so the day will come when the same general and universal acceptance will be given the idea that it is a governmental duty to restore and reeducate and rehabilitate every worker crippled in industry.

Mr. Chairman, with other Members of this body, I had the privilege last summer of visiting the largest rehabilitation hospital in England. I went through the shops where 1,800 men, every man a cripple, lacking an arm or a leg or an eye, and in some cases both legs or both arms, were being trained.

I saw those men being remade, learning new trades, adjusting themselves to artificial limbs and appliances.

The thing that impressed me above all others was the eagerness with which they displayed their new accomplishments. They would work until the perspiration poured from their faces in showing how they could use the spade or hammer or saw. Underneath every act was the joy of men who saw light ahead, where they had thought all was darkness. That was the explanation. They had known despair. They had had visions of dependence on charity. They had faced the terror of unemployment, helplessness, and vagrancy. They had found the way out, and the result was so apparent that one of our party remarked "This is the happiest place we have found in England."

Mr. Chairman, I have seen that same thing in Walter Reed and other rehabilitation hospitals in this country. We have recognized the fact that the crippled soldier, injured in his country's cause, is entitled to every assistance in becoming a self-supporting, self-respecting citizen. Let us go one step further and recognize that the soldiers of peace, victims of the carnage of industry, are also entitled to their chance to become developed citizens instead of derelicts. The money spent in these two lines of human betterment will be about the best ever spent by America. [Applause.]

Mr. McKEOWN. Mr. Chairman, the opponents of this measure first took the position that it was unconstitutional. That is the argument of the lawyer who goes into court with a weak case. They have abandoned the unconstitutionality of the measure and they have put themselves upon the plea of economy. You need not worry about the next Congress or the Congresses after this being for economy. The American people will take care of that proposition. You need not disturb yourselves about what appropriations the next Congress is going to make, because, in my humble judgment, Congresses elected in the near future are going to be those who stand for economy.

I feel that this question is not a question of how much money you appropriate to-day. This is forward-looking legislation. This measure is legislation that is going to come. Whether it comes in this Congress or not, it is going to come. This legislation looking to the building up of American manhood is bound to come, and every day I walk down the street and see a cripple standing on the corner, crippled in industry—industry which makes our civilization—when I see him it is to me an indictment of our Government and of our civilization.

But I repeat to you, whether you adopt this measure or not, it is going to come. I had the temerity to offer an amendment to the bill that carried \$640,000,000 to the aircraft program to reduce the amount to \$320,000,000. I was the only Member of this House who had the temerity to offer that amendment, and I could not even get a corporal's guard at that time. Yet you talk to me about economy; talk to me about economy here, when it is to educate and rehabilitate these men who become cripples in industry. Why, Mr. Roosevelt said once that civilization owed it to the family of the man who went down, whether by his own fault or not, to see that they were cared for, because, he said, if it cost human life to make sugar, and you must have it in your coffee and tea, you ought to pay the full price, and that his family should not want. [Applause.]

No, gentlemen; there is nothing in this argument of economy. It is false economy; it is not sound economy. Take a man who can not take care of himself and is a drag upon society, and you take him and make him a being that can earn his own way. Who cares for these cripples to-day? It is the red-blooded, generous American. I believe in making the man who will not help go along with the fellow who is generous and helps to take care of him. Who is taking care of them now? Society. Society bears the burden; and is it not more just to let every man carry the burden rather than put it upon the neighbors in a neighborhood to bear the burden? Somebody has to do it. Are you willing to let the burden rest upon a few generous individuals or are you willing to come and face this proposition

like American statesmen ought to face it and say that you will start this movement? So far as the camel's nose getting in the tent is concerned, the camel never sticks his head in the tent except to get out of a desert sandstorm; and gentlemen who are not willing to place this character of legislation before the several States will be hunting tents in which to stick their heads before the next election rolls around. [Applause.]

Mr. O'CONNOR. Mr. Chairman and gentlemen of the committee, in all probability what I have to say on this proposition will be like carrying snow to Lapland or coals to Newcastle. I never did possess the happy art of expressing myself felicitously while compressing my ideas into a few sentences. I shall endeavor, however, to express myself as felicitously as circumstances will permit on this great, great matter, in my judgment. I do so for the reason, Mr. Chairman, that from the day I tottered out of my cradle my attitude toward human existence was that of a sympathy and a consideration for the struggler, for the toiler, for the fellow whose youth bore no flower in its branches, whose hopes burned into ashes away, and I desire to run true to that form during all the course of my lifetime.

This great bill has been assailed from five or six different standpoints. The method of attack first resorted to was as to its constitutionality; but, apparently, this assault met with no great response in this House, and it was hastily dropped. Then came the suggestion that the passage of this bill would give great joy to the reds and soviets and agitators of this country. It created a snicker for a moment, and was just as rapidly dismissed, because within the United States of America, in my judgment, Mr. Chairman, all of the agitators of this country who could become a menace could be rolled into one patrol wagon and brought to the calaboose. Finally, State rights were raked into the fight, and you know State rights has taken a shift from its old fortress and has found champions in States that looked upon that doctrine as anathema some years ago. Then came the old, old favorite argument that has been hugged to the soul of every fellow who believes in property rights and is willing to forget human rights; that it is the greatest extravagance. And, finally, from the gentleman from Indiana we have the method adopted 2,000, yes, 3,000 years ago, of the Trojan horse. Troy is to be sacked and pillaged and put to the flames by a cunning device. The bill is to be defeated by loading it down with an amendment that will cause its destruction. The proposed amendment is a device that is calculated to arouse antagonism against the Roman Catholics of the South, to arouse prejudices and apprehensions as to the race question, and all with a view of arraying the Members from the Southern States against this bill. Clever, shrewd, adroit.

I hope that the assumption on which it is based is erroneous. I trust that we are too enlightened to be prejudiced against the adherents of a great church; that we are too generous to be unfair to the members of a race, black though it be, with whom we have dwelled for generations.

So far as I am concerned I am willing to vote, and shall vote, for any amendments to this or any other bill the purpose of which is to bring our people religiously and economically into close and harmonious relationship. But I will oppose this amendment as unnecessary, as uncomplimentary to the section whose assumed prejudice it is apparently intended to overcome solely, and I say this with all possible deference to the gentleman who has offered it, offered solely for the purpose of loading the measure with an amendment that will cause it to totter to its destruction and fall. I am as willing as any man in this country—and trust I will never change that attitude—to help the black man from his prostrate position, just as I am glad to extend my hand to my white brother when he goes down in the smoke of industrial battle.

And right here let me say that I am amazed at the position of the champions of protective tariff on this bill. I am amazed at men opposing this measure who have stood on this floor and championed the passage of tariff measures—measures that have built up our industrial system into Olympian heights and have made the owners of these industries so rich and great and powerful and strong that they have become known through an appellation that signifies power, vast wealth, financial control, and social dominance. I am staggered at the reflection that the overlords and barons of our country can command the passage of laws which enable them to create wealth, build up palaces, and accumulate millions more than they could possibly need to supply their earthly wants, while the worker, the toiler, the doughboy, the trench man has to beg for an obol and not secure it for fear that it will anger the captain of industry, who looks down upon us from his imperial castle—

Crowns and arches for the Caesars,
Let their brows the laurel twine.

But to the dunghheap and the hillside with the down and out, the broken victim of this tremendous industrial activity—

Rattle his bones over the stones,
He is only a pauper whom nobody owns.

Fine linen and purple for Caesar—no hope from his country for him whose arms and legs were torn from him in the industrial upbuilding of that country.

Up, up with the barons; down, down with the vassals and tenants!

On the floor of this House you shout that your dominating interest in the tariff is to protect American workmen. Show your sincerity. Vote for this bill. You claim that great riches have gone to the captains as an incident to the main purpose—protection to American wage earners. Evidence your sincerity by striking a blow that will help to his feet the man that has gone down to death's door for your theories and who has to make the end of the trail in sorrow and suffering, denied his limbs, his sight, with night and gloom his companions until the grave offers surcease—the only repentance that is left for him—oblivion and mother earth. [Applause.]

The CHAIRMAN (Mr. LONGWORTH). The time of the gentleman has expired. All time has expired. The question is on the first amendment.

Mr. MACCRATE. Mr. Chairman, I have an amendment to offer.

The CHAIRMAN. The present Chairman was not present when this agreement was made. He will ask the gentleman from Ohio [Mr. FESS] whether the agreement contemplated the right to offer amendments after the expiration of the time?

Mr. FESS. All amendments ought to be reported before we begin the debate on them.

Mr. CAMPBELL of Kansas. Amendments can not be denied at any time.

Mr. FESS. They can offer them, but not debate them.

Mr. MACCRATE. I did not desire to debate it, but simply to offer it.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from New York [Mr. MACCRATE].

The Clerk read as follows:

Amendment offered by Mr. MACCRATE: Page 3, line 9, after the word "Board," strike out the word "for," and on line 10 the word "approval."

The CHAIRMAN. Does any other gentleman desire to offer an amendment?

Mr. LANKFORD. I have one, but I want to offer it after the others have been voted down or voted them up.

Mr. TOWNER. I suggest the amendments be reported serially and read for the information of the committee before they are voted on.

Mr. GARRETT. Let one be read at a time and then voted on.

The CHAIRMAN. Without objection, the Clerk will report the first amendment.

The Clerk read as follows:

Amendment offered by Mr. WOOD of Indiana: Page 2, line 22, after the figures "34,000," insert: "Provided, That if any discrimination is made on account of color, sex, or religion in the use of the funds herein authorized, the State so offending shall forfeit all its rights to further participation in the benefits provided for in this act."

Mr. GARRETT. Is it in order to inquire if this has been submitted to Mr. Will H. Hays? [Laughter.]

Mr. WOOD of Indiana. May I answer the gentleman?

The CHAIRMAN. The question is on the amendment offered by the gentleman from Indiana [Mr. WOOD].

The question was taken, and the Chair announced that the yeas seemed to have it.

On a division (demanded by Mr. WOOD of Indiana) there were—yeas 39, noes 40.

Mr. WOOD of Indiana. Mr. Chairman, I demand tellers.

Tellers were ordered, and Mr. WOOD of Indiana and Mr. FESS took their places as tellers.

The committee again divided; and there were—yeas 36, noes 44.

So the amendment was rejected.

The CHAIRMAN (Mr. MADDEN). The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 1, line 7, after the word "arts" insert: "which disability was not caused by willful misconduct of the person disabled."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 3, line 5, after the word "used" strike out: "by any institution for handicapped persons."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment. The Clerk read as follows:

Amendment by Mr. GARD: Page 4, line 6, after the word "duty" strike out the period, insert a comma, and "but such courses for vocational rehabilitation shall not be available to any such civil employee of the United States whose disability was caused by his own willful misconduct."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. GARD: Page 3, line 16, after the word "employees" strike out: "(f) plans for the training of teachers, supervisors, and directors."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 2, line 4, after the word "employment" in lines 3 and 4 as amended, strike out the language: "for the fiscal year ending June 30, 1920, the sum of \$500,000;" and on line 18, same page, after the word "Section" strike out the language, "for the fiscal year ending June 30, 1920; the sum of \$66,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. SEARS: Page 3, line 7, after the word "Act," strike out all of line 7 and line 8 down to and including the semicolon and insert the following: "and the Federal boards shall furnish to the State boards general plans and specifications and such other information as to the best methods for training which they may be able to furnish."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chair announced that the ayes seemed to have it.

On a division (demanded by Mr. FESS), the committee divided; and there were—ayes 31, noes 42.

So the amendment was rejected.

Mr. SEARS. Tellers, Mr. Chairman.

Tellers were refused.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. SEARS—

Mr. SEARS. I withdraw the amendment, Mr. Chairman. That has already been provided for in a manner to do away with the necessity for it.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment offered by Mr. MACCRATE: Page 3, line 9, after the word "Board," strike out the word "for" and in line 10 the word "approval."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

Mr. BLACK. Mr. Chairman, I have an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 3, line 22, strike out the word "appropriated" and insert "from appropriations authorized."

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. FESS. Mr. Chairman, we accept that.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. LANKFORD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Georgia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. LANKFORD: Page 1, line 4, after the word "of," strike out the words "persons disabled" and insert "disabled persons whose occupations, at the time the disability arises, are."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the noes appeared to have it.

Mr. LANKFORD. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 25, noes 41.

Mr. LANKFORD. Mr. Chairman, I ask for tellers.

The CHAIRMAN. Tellers are demanded. Those desiring to take this vote by tellers will rise and stand until they are counted. [After counting.] Not a sufficient number have risen. Tellers are refused.

So the amendment was rejected.

Mr. BLANTON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLANTON: Page 1, line 6, strike out the word "mechanic" and insert the word "mechanical."

Mr. BLANTON. Mr. Chairman, may I ask the chairman of the committee whether this amendment should not be adopted? The word "mechanic" is evidently an adjective there.

The CHAIRMAN. Under the rule adopted there can be no debate.

Mr. BLANTON. I was just asking the chairman the question.

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was rejected.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 2. That in order to secure the benefits of the appropriations provided by section 1 any State shall, through the legislative authority thereof, (1) accept the provisions of this act; (2) empower and direct the board designated or created as the State board for vocational education to cooperate in the administration of the provisions of the vocational-education act, approved February 23, 1917, to cooperate as herein provided with the Federal Board for Vocational Education in the administration of the provisions of this act; (3) in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency, and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State; (4) provide for the supervision and support of the course of vocational rehabilitation to be provided by the State board in carrying out the provisions of this act; (5) appoint as custodian for said appropriations its State treasurer, who shall receive and provide for the proper custody and disbursement of all money paid to the State from said appropriations. In any State the legislature of which does not meet in 1919 or 1920 if the governor of that State shall accept the provision of this act, such State shall be entitled to the benefits of this act until the legislature of such State meets in due course and has been in session 60 days.

The CHAIRMAN. The Clerk will report the committee amendments.

The Clerk read as follows:

Committee amendment: Page 4, line 8, after the word "appropriation," strike out the word "provided" and insert in lieu thereof the word "authorized."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 5, line 5, strike out the figures "1919" and insert in lieu thereof the figures "1920."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

Committee amendment: Page 5, line 6, strike out the figures "1920" and insert in lieu thereof the figures "1921."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. GARRETT. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Tennessee moves to strike out the last word.

Mr. GARRETT. Mr. Chairman, I wish to ask the gentleman from Ohio [Mr. Fess] a question with reference to the latter part of that section. The bill provides, "Any State the legislature of which does not meet in 1920," and so forth, "shall be entitled to the benefits of this act." The State obtains the benefits of the act even if no legislation is passed?

Mr. FESS. If the gentleman will note, in line 9 of page 4, a provision requires the legislative authority to accept this act. If the legislature does not happen to be in session, that State would be, under the provisions of this bill, deprived of the benefits of the act unless we made a provision that the acceptance might be made by the governor. I will say to my friend that this language is exactly the language of the Smith-Hughes Act, to take care of the State of Alabama, which did not have its legislature in session.

Mr. GARRETT. How can the governor of a State make an appropriation for the State?

Mr. FESS. The governor could not do that.

Mr. GARRETT. To get the benefits of this act the State authority has to put up dollar for dollar, does it not?

Mr. FESS. Yes; that is with the State, and not with the Federal Government.

Mr. ALMON. The gentleman from Ohio called attention to the fact that that situation existed in Alabama at the time of the enactment of the vocational bill?

Mr. FESS. Yes.

Mr. ALMON. Will the gentleman state what arrangements were made?

Mr. FESS. Yes; arrangements were made authorizing the governor of Alabama to make acceptance instead of the legislature.

Mr. GARRETT. I guess the governor of the State would have no authority to bind the State.

Mr. FESS. I think not; but my friend will remember that our friend Abercrombie was on the committee, and it was adopted to cover this case upon his recommendation.

Mr. ALMON. I remember I assisted in working out the plan to get the benefit of that appropriation.

Mr. BEE. Mr. Chairman, I move to strike out the last word.

Mr. CHINDBLOM. Mr. Chairman, may I ask the gentleman from Ohio [Mr. FESS] a question?

The CHAIRMAN. The gentleman from Texas [Mr. BEE] has moved to strike out the last word.

Mr. BEE. Mr. Chairman, I wanted to ask the gentleman from Ohio a question along the line of the questions propounded by the gentleman from Tennessee [Mr. GARRETT]. Suppose the State has not legislated on this subject at all. How can the governor accept the money for that State when he has nothing to accept the money on? What would he do with the money? And then suppose at the time the legislature met in 1921 it did not adopt any such law. What, then, would it do with the authorization you make?

Mr. FESS. The legislation provided here depends upon the State accepting the benefits. The original plan is to have the legislature do it. If the legislature is not in session, but if the State, through its governor, can meet the requirements of the law, it will not be denied the benefits.

Mr. BEE. But suppose, under the constitution of the State, there is no such power vested in the governor?

Mr. FESS. Then they could not do it.

Mr. TOWNER. Mr. Chairman, will the gentleman, before he presses that point, yield to me?

Mr. BEE. I do not want to lose my time. If the gentleman will pardon me, I want to ask the gentleman from Ohio this further question: I notice where you say "in those States where a State workmen's compensation board, or other State board, department, or agency exists, charged with the administration of the State workmen's compensation or liability laws, the legislature shall provide that a plan of cooperation be formulated between such State board, department, or agency, and the State board charged with the administration of this act, such plan to be effective when approved by the governor of the State." How can there be a plan of cooperation between a workmen's liability law instituted for the purpose of compelling the corporations that work their men to provide for them an insurance in case of injury and a vocational course for them in case they are injured?

Mr. FESS. One of the difficulties in this legislation that caused the committee to refuse to accept this legislation as an amendment on the soldiers' disability or rehabilitation act was that the soldiers' rehabilitation act was purely Federal, and the rehabilitation of industrial cripples would be cooperative and done through the States.

Mr. BEE. The gentleman has not answered my question.

Mr. FESS. I will answer it. There are 38 States that have State compensation commissions.

Mr. BEE. Yes.

Mr. FESS. We do not want to direct the rehabilitation of any cripple in a State through the State board provided for in this act without the cooperation of the State compensation commission, because the compensation commission has to do with the payment of the compensation to cripples, while this has to do with the training; and while the training would be by the State board, on the approval of the Federal board, there must be cooperation between the State board and the State compensation commission.

Mr. BEE. Now, let me ask the gentleman this question: Suppose a man who is entitled to the privilege of rehabilitation under this act has been the victim of a personal injury by a corporation. Is there anything in this law that will entitle the

corporation to set off against his recovery for personal injuries the fact that the Government has provided for his rehabilitation?

Mr. FESS. Most certainly not.

Mr. BEE. Why not?

Mr. FESS. The compensation pays the man because of the injury, and this trains him to put him in a position, not to take his compensation away from him. The compensation will go on, but we train him in order to be a factor in production after the compensation has ceased. The one is paid under the authority of the State, the other is paid by authority of the State in cooperation with the Federal Government.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BLANTON. I move to strike out the paragraph.

Mr. REED of West Virginia. I desire to oppose the paragraph.

Mr. BLANTON. Is not a member of the committee entitled to recognition first?

The CHAIRMAN. The Chair thinks he is.

Mr. BLANTON. I want to get only one matter clear.

The CHAIRMAN. Is the gentleman from West Virginia [Mr. REED] a member of the committee?

Mr. REED of West Virginia. I am not.

Mr. BLANTON. I will take only a few minutes. This bill provides that dollar for dollar must be appropriated by the States before the Federal Government can pay one single cent toward this fund. Now, in the face of the above, what is the use of such a provision as that in this second section, which provides that where a State legislature does not meet in 1920 or 1921, then the governor of that State may accept this provision, and it shall be in force until 60 days after the legislature shall meet? What is the use of acceptance by the governor of the State if the money can not be paid? Does acceptance provide the means by which the money shall be paid over to the State and may be used and expended? If it can not be paid over and used and expended, what is the use of paying it over? Why not wait until the legislature meets, and in proper form, in accordance with the provisions of the bill, and with the proper safeguards that the bill places around that money, shall appropriate the duplicate amount of money? I think this provision should be stricken out of this bill.

Mr. TOWNER. Will the gentleman yield?

Mr. BLANTON. I yield to the gentleman from Iowa.

Mr. TOWNER. If the governor makes acceptance, then the board can make the apportionment, and when the funds are provided then apportionment can be made available for the purpose. That is all it does.

Mr. BLANTON. But what is the use of making the apportionment until the money is appropriated? The money will not be available until the legislature meets, because the legislature is the only power in a State that can appropriate the money of the people of that State. The governor can not do it any more than the President of the United States can appropriate money.

Mr. TOWNER. But the apportionment can be made ready for the acceptance of the State when the funds can be provided.

Mr. BLANTON. What is the use of apportioning to a State until the State itself makes an appropriation? The State might not see fit to appropriate as much as the apportionment?

Mr. TOWNER. Then it could not be used, that is all, but it would be ready if the governor accepted it.

Mr. BLANTON. I think the provision should be stricken out of the bill.

The CHAIRMAN. The time of the gentleman has expired.

Mr. WALSH. Mr. Chairman, the distinguished gentleman from West Virginia [Mr. REED] has given us some very interesting facts. Without in any way attempting to cast any reflection upon the statements that he has made, I submit that if they are true they are exceptionally interesting, and I have no doubt that as far as Federal activity goes, if this bill becomes a law, the administration of it will be placed in the hands of just such men as those who have figured out that some people are worth a certain amount of money from the soles of their feet up to the neck, and that from the neck up some of them are worth \$10,000. But I do not imagine that if they get an individual who is crippled so as to consist only of that portion of his anatomy that is comprised in that space occupied from the neck up that he would contribute very much to the advancement of science or industry in this country.

That is not what I rose to say, however. I want to ask the distinguished chairman of this committee a question with reference to subparagraph 3 of section 2 and to ascertain if it is proposed to tell the legislatures of the States where they have compensation boards and where they have also complied with the vocational-education act that notwithstanding they are complying with the law with reference to vocational edu-

cation and have a vocational-education board in the State, yet it shall provide through the legislature that the workmen's compensation board shall cooperate for the administration of this law and not permit the vocational-education board of the State to participate in the execution of the plan which this Federal board provides?

Mr. FESS. The administration of this law will be under the State board of education upon the approval of the Federal board, but when we enter the States that have compensation commissions we are not giving all of the administration to the education board, which might conflict with the State compensation commission, but we deal as a Federal Government with the State board, and in those States such as the gentleman has suggested, and his State is one of them, whatever cooperation is to be reached must be reached by the authority of the State, and the authority is the legislature. Therefore, in the State of Massachusetts and in the State of Ohio and in many other States, 38 in all, the administration of this particular law will be by the cooperation of the State board and the State compensation commission.

Mr. WALSH. So that we do say to the Legislature of Massachusetts and to the Legislature of Ohio and any of the other States that it shall provide a plan of cooperation, even though the State might prefer that the entire administration of this act should be confined to its State vocational education board.

Mr. FESS. We require just the same as we require that the benefits be accepted by the legislature or the governor.

Mr. WALSH. But you do require that the legislature shall provide that a plan of cooperation shall be established, even though that State might prefer to have this act administered through its vocational education board, regardless of the State compensation board?

Mr. FESS. We do. Vocational education is one thing. That is under the State board of education. The rehabilitation of a cripple touches on the subjects receiving compensation, and we would not give all authority to the State board of education; neither would we give it to the State compensation commission; but a cooperation between the two, as provided by the legislature.

The CHAIRMAN. The time of the gentleman from Massachusetts has expired.

Mr. SUMNERS of Texas. Mr. Chairman, I have listened with a good interest to gentlemen who appear here in advocacy of this measure, and in so far as I can observe their argument in favor of the bill is based upon a profession of interest in the men who are crippled in industry in this country. The issue can not be joined there. I understand, of course, the attitude of those who are in favor of the absorption of all governmental power by the Federal Government, who are seeking to destroy the efficiency of the States. When a man stands on the floor of this Chamber and says that the particular matter under consideration is one over which the States have complete legislative jurisdiction, and with regard to which they have the complete power to deal, he is charged with not favoring the subject matter, as not being in favor of remedying the evil which the bill under consideration seeks to remedy.

Now, let us see what this bill proposes to do. I watched my Democratic colleagues; I counted them. When the distinguished gentleman from Florida offered his amendment to place the administration of this fund within the States' control I watched the vote, and in so far as I could observe every Democrat on the floor stood up and by his vote registered it as his judgment that the States should control. There is but one way on the face of this earth for that to be done, and I challenge the legislative experience and the common sense of my colleague, and that is to leave this matter to the State. I say to you, my friend from the South, I say to you Democrats who, by your vote on the Sears amendment, declared to your country and to your colleagues that you believed the States ought to control. I say to you, my friends, that there is a wisdom in the philosophy of government which puts the necessity of government as close to the people as you can get it. I say to my distinguished colleague from Pennsylvania, it was a fortunate day in Pennsylvania in its struggling with the problem of free schools that the Federal Government did not step in and relieve the people of Pennsylvania of the necessity of dealing with that question. It is only through a struggle that men grow strong, and since the formative period of government progressed government has been in that direction which has put not the right but the necessity of government as close to the people as you can get it. [Applause.] The time has come, my countrymen, when we have to put the brakes on. The time has come in this country when we must put the responsibility on the State. To vote for this measure carries a charge against the States, I can not make anything else out of it, and against the

legislatures of the State that they will not do justice to the cripples within their borders. You say by your vote that you must take the money out of the pocket of the people of your State, because they will not through their legislature vote to rehabilitate their cripples and that you must send it back to them through a Federal body of overlords who will charge 20 per cent on the money taken from the pockets of your people to rehabilitate the cripples within their respective States—

Mr. FESS. Will the gentleman yield?

Mr. SUMNERS of Texas. I will.

Mr. FESS. I have great respect for my friend. Is not the argument he is offering now applicable against many appropriations of money out of the Federal Treasury to do things down in the gentleman's own State?

Mr. SUMNERS of Texas. It is impossible in five minutes to discuss the wisdom of legislation that has been passed. This bill is before the House, and I say to the gentlemen that Members of the Congress when they confront the responsibility of voting on a given measure must reflect their judgment upon that measure.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HASTINGS. Mr. Chairman, I do not have any difficulty in supporting this bill. In fact, I do so with a great deal of enthusiasm. I think it is one of the best pieces of legislation that has been brought before this Congress. As between human rights and property rights, I am for human rights. I am for all progressive legislation, and I refuse to stand with my back to the wall and with no vision for the future. It is too late now to advance the argument that all such legislation as this ought to be left to the several States. I hope that every State in the Union has enacted wise legislation along this line. My own State has a compensation commission that carries out the provisions of the law enacted for the benefit of those injured. If there is any State in the Union that needs stimulation, north or south, it ought to be stimulated by the Federal Government.

Three arguments have been used against this bill. The first is that of economy. I am heartily in favor of economy in every branch of the Government. Every appropriation ought to be closely scrutinized and not a cent of the people's money should be taken by the taxgatherer in excess of the urgent needs of the country. We are not justified, particularly under present conditions, in appropriating a dollar for any purpose for which there is not great necessity, but as the committee reports there are about 300,000 cripples in the United States, shall we not do anything for them? If the various States have wisely provided for them, certainly the stimulating effect of a Federal vocational board will not do any harm, but under the influence of this board additional humane legislation will be enacted for the cripples of the country. These industrial cripples will be rehabilitated like thousands that became disabled during the last war. They will be trained to earn a livelihood, and instead of being an economic loss they will be a great asset. Therefore, I believe that it is economy to use the services of so many cripples throughout the Nation.

This bill appropriates for the first year \$500,000, or about one-half a cent for each of the 110,000,000 citizens of the United States. Certainly no one would begrudge giving this much to rehabilitate the unfortunate and give them encouragement and hope for a brighter day. If these people can be assisted, so that they will fit into various positions where they can make a living, it will be money wisely spent. If the States are enacting legislation along this line, this law will only be a stimulant. In my judgment it will be helpful. While I am for economy, I refuse to begin with the cripples of the country.

The next argument used is that it is not constitutional. It is used in nearly all debates where a Member wants to defeat legislation. I find no constitutional inhibition against this appropriation. Of course, I would not vote for it if it were clear to me that it violated any provision of the Constitution, but none has been pointed out. While one would be free to use the Constitution against the opposing counsel in court, I refuse to use it in an argument on legislation of this kind.

The argument most frequently advanced throughout this entire debate is that it is a matter for the several States. I have already referred to this and what my State has done, but let us see if we have all been consistent in using the argument of State rights against the cripples of the country.

I have before me the Agricultural appropriation bill approved July 24, 1919. I want to refer to a few of the items and invite some of my friends who have been earnestly urging that the States alone ought to look after their own unfortunates to some of these amounts. On page 7 of the bill I find that we appropriated \$641,045 to fight hog cholera. I think this is splendid legislation. I heartily favor it. I am sure many of the gentlemen who are against this bill voted for the appropriation in the

Agricultural bill. The hog is placed above the human, and the moral is, "You had better be a hog." On the same page of the Agricultural bill there is an appropriation of \$741,980 for the eradication of the southern cattle tick. This is a fine appropriation, but if we can appropriate money to eradicate the cattle tick in the various States of the Union I do not find any difficulty in aiding the work of rehabilitating the cripples of the country. In the same bill we appropriated \$220,728 for the study and control of the white-pine blister rust. This item applied and was used in the various States growing pine. I do not criticize it. I only invite attention to it.

We appropriated \$452,505 for the study of cereal diseases and the improvement of cereals. This work is largely done throughout the various States. I voted for it. I believe the appropriation is fully justified; but if we can appropriate for the study of diseases of cereals, certainly there ought not to be any objection for appropriating money to rehabilitate human beings. I invite your attention to the item appropriating \$304,050 for the prevention of the spread of the gipsy and brown-tail moths. This is a large appropriation, and I am not very familiar with it. I am sure that I would rather vote for an appropriation to encourage the poor and unfortunate cripples of the country than to prevent the spread of "gipsy and brown-tail moths." There is an appropriation contained in the Agricultural bill of \$645,040 for meeting the ravages of the cotton-boll weevil. I was heartily in favor of this legislation. I believe the Government ought to make this appropriation. I do not believe it is extravagance. I believe it is practicing economy. This money is spent throughout the various States, and if we use it for combating the cotton weevil, then the question of State rights ought not to be urged against us when we want to help the cripples of our land. The same is true of the agricultural-extension act, where the sum of \$720,000 is appropriated. I do not believe there is a better appropriation made by Congress. I have always enthusiastically supported it. However, if we can appropriate money to be used in the various States to grow vegetables and farm products, then we would be justified, in my judgment, in using money to aid cripples in earning a livelihood. There is another appropriation of \$397,240 to stamp out the pink boll worm. This is largely used in the one State of Texas; and yet we have gentlemen upon the floor who will vote for an appropriation for this purpose and yet decline to vote anything for the cripples of the country. This legislation is along the same lines as the Smith-Hughes vocational-training act, for which in the aggregate several million dollars have already been expended and more authorized. The act assists the various normal schools in the States throughout the country. Certainly, if we have the authority to assist the able-bodied men and women to secure a better vocational education, how much more is it incumbent upon us to extend relief to the unfortunate for whom there is no ray of hope. Three or four years ago we passed what is known as the good-roads act.

The first year we appropriated \$5,000,000 and continued the appropriation until \$25,000,000 was reached. This money is being distributed through the various States, much after the fashion of the bill now under discussion. Many gentlemen had no difficulty in voting for that bill, but some decline now to vote for a similar appropriation much less in size, for those who have been so unfortunate as to have lost an eye or a limb. Recently we supplemented the good-roads law by adding as an amendment to the Post Office appropriation bill the sum of \$200,000,000.

Another item in the Agricultural appropriation bill is for \$2,500,000 to stamp out the foot-and-mouth disease. Everybody agrees that this was wise legislation, and no one, so far as I know, opposed it. By spending Government funds, the disease was checked and our live stock was saved. It resulted in a large economic saving. I favor the economic saving of human beings also.

I am for this humane legislation and shall vote for it, although I will vote to cut down some of the appropriations for administrative expenses of the law and reduce the salaries, when that section of the bill is reached. If I did not, I would throughout all future time be ashamed to meet a cripple on the streets selling shoestrings or lead pencils. Let us stimulate the States to do their full duty to this class of citizens. If it were not for the good women of the country urgently presenting all causes for charity, the churches, and the like upon the men, everybody knows that they would not receive the proper financial support. The various drives for the Red Cross, the Salvation Army, the Young Men's Christian Association, and other welfare organizations during the war netted large sums, but how much would have been contributed to them, if the drives had not been put on and the people appealed to and aroused to a sense of their duty? This legislation has for its

purpose the stimulation of the various States by the Federal Government in such a way that they will do their full duty in restoring these cripples and making them an economic asset instead of a liability to the State and Nation. Every community is interested in bettering its citizens, and every State is so interested, and the Nation as a whole is interested in the happiness, contentment, and productive capacity of every citizen in the Union.

Mr. LANKFORD. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Insert as a new section the following:

"SEC. 23. That no person or corporation alleged to be liable in damages for disability incurred by another shall be permitted to plead or allege the benefits of this act in mitigation of damages."

Mr. LANKFORD. Mr. Chairman—

Mr. FESS. Mr. Chairman, I make the point of order that debate is exhausted.

The CHAIRMAN. Debate is already closed on this section and all amendments to the section.

Mr. LANKFORD. But I offer it as a new section.

Mr. BLANTON. Mr. Chairman, I make the point of order against the amendment. If the gentleman desires to discuss it, however, I will reserve it.

Mr. TREADWAY. Mr. Chairman, has it not been ruled several times recently that a new section can not be offered and debated after debate has been closed on the previous section?

Mr. BLANTON. It can not be offered as an amendment to the section under the agreement heretofore entered into by the committee.

Mr. LANKFORD. Mr. Chairman, I ask unanimous consent to proceed.

Mr. TREADWAY. That would be against the rule. I make the point of order that it is not germane.

The CHAIRMAN. The point of order is sustained. The amendment is not germane to the section or to anything else in the bill. Does the Chair understand that the point of order of the gentleman from Texas is against the amendment?

Mr. BLANTON. Yes; against the amendment of the gentleman from Georgia.

Mr. BANKHEAD. Did not the gentleman from Georgia submit a unanimous-consent request to proceed?

The CHAIRMAN. He did; but the Chair, under previous rulings in the committee, did not recognize the gentleman.

Mr. WINGO. If the Chair will permit me, I hope he will take time before he rules that a new section offered as an amendment would come under the rule closing debate on the previous section.

The CHAIRMAN. The Chair sustains the point of order against the amendment.

Mr. WINGO. That makes the question academic, of course.

Mr. BLANTON. Regarding that, Mr. Chairman, it was decided by the gentleman from Iowa [Mr. Goon] and has been decided at numerous other times.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 3. That the Federal Board for Vocational Education shall have power to cooperate with State boards in carrying out the purposes and provisions of this act, and is hereby authorized to make and establish such rules and regulations as may be necessary or appropriate to carry into effect the provisions of this act; to provide for the vocational rehabilitation of disabled persons and their return to civil employment and to cooperate, for the purpose of carrying out the provisions of this act, with such public and private agencies as it may deem advisable. It shall be the duty of said board (1) to examine plans submitted by the State boards and approve the same if believed to be feasible and found to be in conformity with the provisions and purposes of this act; (2) to ascertain annually whether the several States are using or are prepared to use the money received by them in accordance with the provisions of this act; (3) to certify on or before the 1st day of January of each year to the Secretary of the Treasury each State which has accepted the provisions of this act and complied therewith, together with the amount which each State is entitled to receive under the provisions of this act; (4) to deduct from the next succeeding allotment to any State whenever any portion of the fund annually allotted has not been expended for the purpose provided for in this act a sum equal to such unexpended portion; (5) to withhold the allotment of moneys to any State whenever it shall be determined that moneys allotted are not being expended for the purposes and conditions of this act; (6) to require the replacement by withholding subsequent allotments of any portion of the moneys received by the custodian of any State under this act that by any action or contingency is diminished or lost: *Provided*, That if any allotment is withheld from any State, the State board of such State may appeal to the Congress of the United States, and if the Congress shall not direct such sum to be paid it shall be covered into the Treasury.

Mr. WALSH, Mr. GARRETT, and Mr. LANKFORD rose.

The CHAIRMAN. The gentleman from Massachusetts [Mr. WALSH] is recognized.

Mr. WALSH. I move to amend the section, page 5, lines 18 and 19, by striking out the words "and private."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 5, lines 18 and 19, strike out the words "and private."

The CHAIRMAN. The question is on the amendment of the gentleman from Massachusetts.

The question was taken, and the Chair announced that the yeas appeared to have it.

Mr. WALSH. Division, Mr. Chairman.

The committee divided; and there were—yeas 13, yeas 31.

So the amendment was rejected.

Mr. STEVENSON. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from South Carolina offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. STEVENSON: Page 6, line 9, after the word "portion," insert:

"Provided, That no deduction from the allotment to any State shall be made until one year after the legislature of said State shall first meet after the passage hereof."

Mr. STEVENSON. I think the chairman will see the justice of that. The provision is made here that they shall deduct each year from the allotment the part which the State has had on hand and has not expended the year before.

Now, under the provision on page 5, where the governor may accept the terms of this act, and if the State becomes entitled to it, the governor can accept and allotment will be made; but no money can be spent until the legislature meets and appropriates.

Mr. FESS. If the gentleman will yield, I think his amendment might cover an exigency that might arise. I have no objection to it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from South Carolina [Mr. STEVENSON].

The question was taken, and the amendment was agreed to.

Mr. GARRETT. Mr. Chairman, I ask unanimous consent to proceed for 10 minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for 10 minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. GARRETT. Mr. Chairman, inasmuch as it is my purpose to vote against this bill, I desire at this time to state some of the reasons that actuate me in so doing. I do not know that I shall contribute any new thought to the debate, but I shall at least have the satisfaction of again laying before this body certain principles applicable to legislation which have been passed here in the past and which are involved again now.

This is another of those unfortunate measures predicated, in my opinion, upon wholly erroneous conceptions of the functions of the respective governments under which we live. It has been said by those advocating this bill that the opponents of the measure have continuously harked back to the doctrine of State rights. Mr. Chairman, I am not ashamed, in any case where the doctrine of State rights applies, to utilize that argument. A million men offered their lives for the principle of local self-government, as they conceived it. Unnumbered thousands of them died for that principle. Other unnumbered thousands of them suffered wounds and torment for the sake of their convictions. I have never felt called upon, Mr. Chairman, to apologize for living by that for which my fathers died or offered to die. But, sir, in frankness let it be said that in the sense of an imposition upon State rights that doctrine is not here applicable. Nor do I contend it. The only way in which the rights of the States are involved here is that there is involved in this measure a certain degree of moral coercion. Of course, the States are free to take the benefits or the burdens of this act, as the case may be, or leave them alone, as they may choose. But what I would emphasize, and what, if I have interpreted correctly, has been the thought which has run through the minds of those who have argued against this bill before us, is the importance of adhering to State duties. I have looked for the time to come—and I think it will come, gloomy as the outlook now may seem—when the popular thought of this country will demand the performance of State duties by the States; will stop this continuous cry which comes up on every governmental proposition that is offered or thought of, of "On to Washington! On to Washington!" [Applause.]

It is not an unnatural thing that the demand for Federal appropriations has grown to such an extent in this country. It has been due, Mr. Chairman, to the indirect system of taxation that has been enforced by the Federal Government. The hand of the tax gatherer has been concealed. The individual in States knew when he paid his State taxes, because he walked into the tax collector's office and paid out the cold cash and received only a tax receipt in return. But he has been paying the Federal taxes when he bought his clothing, when he bought his tobacco, through the instrumentality of the internal-revenue

duties and the duties collected at the customhouse. Who was it—Burke, I think it was—who said, "If you could but hide the hand of the tax gatherer you could tax an Englishman down to the last rag of his clothing and to his last crust of bread without occasioning a protest."

What has been the result? The result has been that the people in the States, not knowing when they paid their Federal taxes, came to regard appropriations out of the Federal Treasury as so much got instead of so much spent. As I have said before in this place, discussing legislation similar to this, when the member of a State legislature goes home his constituents meet him with a cold gleam in the eye and say to him, "How much did you spend?" But a Member of Congress returns to that same constituency and is met with the same cold gleam in the eye, but the question is, "How much did you get?"

That, Mr. Chairman, is going to be changed. Why? Because we have reached that point in our Federal expenditures where you can no longer raise even a fourth of the amount by indirect taxation. It has to come by direct taxation. Where the man will feel it and know it when he pays it, he is going to inquire a little more carefully into what it has cost to administer the funds appropriated by the Congress of the United States.

I have always believed, independent of any question of State rights, that Mr. Calhoun was correct when he laid down the principle that whatever can be as well done by the States as it can be done by the Federal Government should be left to the States for performance, and that the arm of the Federal Government should be extended only when the arm of the State government can not—not will not, but can not—reach. I believe in that principle to-day. I know, and every intelligent man who has been observant of Federal expenditures knows, that the administration of this act under the Federal Government will cost the people of this country infinitely more than it would cost if administered under their respective State governments. [Applause.]

What are we coming to? We used to argue, back in our schoolboy days, the question, "Resolved, that the signs of the times indicate the downfall of the Republic." That was one of the old, old questions. I never thought that they did. But I have wondered again and again during my experience as a Member of Congress whether we were not approaching with greater rapidity than we realized that point where the administrative functions of the Federal Government are to bear down and destroy the very substance of the Republic's structure. [Applause.]

The CHAIRMAN. The time of the gentleman from Tennessee has expired.

Mr. GARRETT. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to proceed for five minutes more. Is there objection?

There was no objection.

Mr. FESS. Mr. Chairman, would the gentleman yield to a request?

Mr. GARRETT. Certainly.

Mr. FESS. Mr. Chairman, I ask unanimous consent that the debate on this section and all amendments thereto close in 10 minutes.

Mr. BLACK. I have an amendment to the text that I wish to offer.

Mr. FESS. After the gentleman from Tennessee has closed. That will take care of the gentleman from Texas.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that all debate on this section and all amendments thereto close in 10 minutes. Is there objection?

Mr. BLACK. I object. Does that 10 minutes include me?

Mr. FESS. Ten after the gentleman.

The CHAIRMAN. Is there objection?

Mr. LANKFORD. Reserving the right to object, Mr. Chairman, I would like to speak 10 minutes on this bill at some time.

Mr. MACCRATE. I have an amendment. I have not spoken on the bill. I have sat through the entire discussion. I object to that 10-minute limitation.

Mr. WINGO. I object for the present. Let the gentleman from Tennessee get through.

Mr. FESS. Mr. Chairman, make it 15 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that the debate on this section and all amendments thereto close in 15 minutes. Is there objection?

Mr. WINGO. I object for the present.

The CHAIRMAN. The gentleman from Tennessee will proceed for five minutes more.

Mr. GARRETT. Mr. Chairman, the principle of this bill is wrong. If this is a Federal function, if it is a thing which the Federal Government ought to do, then the Federal Government

ought to go forth and do it and not depend upon the States. If, upon the other hand, it is a thing which the States can do as well as, if not better than, the Federal Government, it ought to be left to the States to perform.

Mr. DOWELL. Mr. Chairman, will the gentleman yield?

Mr. GARRETT. In a moment. It ought to be left to the States to perform, because bear in mind, gentlemen, that whether it is done by the State government or done by the Federal Government the same people must pay for it.

Mr. DOWELL. Will the gentleman yield now for a question?

Mr. GARRETT. In a moment. And Federal administration will cost infinitely more. I have heard gentlemen on that side of the Chamber complain much of the bureaus that have been built up here in Washington during the last six or seven years. Here you are starting a perpetual bureau, which will absorb out of the appropriations for its administrative officers and its office forces sums that we can scarcely compute now.

Mr. DOWELL. Did the gentleman take that position in the appropriation of money for good roads?

Mr. GARRETT. I did. I said then substantially what I am saying now. And if it interests the gentleman, let me say it was made the principal issue in a candidacy which I had at home for renomination. My position was sustained by my people. [Applause.] The people of my district are not mendicants at the door of the Federal Treasury. [Applause.] They believe in running the Government in the most economical way that it can be run.

I am raising no technical question here, no abstractions such as gentlemen even from the South have sneeringly referred to in the course of this argument as State rights. I am arguing this from the cold standpoint of a practical business man. I know, and you know, the inevitable effect of this is to increase tremendously a bureau here in a department in Washington. Why, you provide that there must be uniform rules sent out from Washington to govern this matter of rehabilitation.

The CHAIRMAN. The time of the gentleman from Tennessee has again expired.

Mr. FESS. Mr. Chairman, I ask unanimous consent that all debate on this section and amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Ohio asks unanimous consent that all debate on this section and all amendments thereto close in 10 minutes. Is there objection?

Mr. BLACK. I object.

Mr. FESS. I move that all debate on this section and all amendments thereto close in 10 minutes.

The CHAIRMAN. The gentleman from Ohio moves that debate on this section and all amendments thereto close in 10 minutes.

The question being taken, on a division (demanded by Mr. BLACK) there were—ayes 42, noes 41.

Accordingly the motion was agreed to.

Mr. BLACK. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 6, line 17, after the word "State," where it appears first in the line, strike out the balance of the line, and all of line 18, and down to and including "paid," in line 19, and in lieu of the language stricken out insert "for a period of two years after the appropriation is made."

Mr. BLACK. Mr. Chairman, the language as now contained in the bill says:

Provided, That if any allotment is withheld from any State, the State board of such State may appeal to the Congress of the United States, and if the Congress shall not direct such sum to be paid, it shall be covered into the Treasury.

If my amendment is adopted the language will read:

Provided, That if any allotment is withheld from any State for a period of two years after the appropriation is made, it shall be covered into the Treasury.

I think an amendment of that sort should be adopted, because we know already that the State board or anyone else has the right to appeal to Congress. We do not need any statutory enactment to give a citizen or a board or anyone else the right to appeal to Congress, and I dare say they will appeal to Congress; but there is no definiteness in the language of the bill. It might be in one year, or two years, or four years, or five years. My amendment would provide that if this allotment is withheld from a State for two years after it has been appropriated, then it shall be covered back into the Treasury, because that would give Congress ample time to hear the State board, to take action upon it; and if it does not amend the act so as to give the State the money, then it will be covered into the Treasury.

Mr. RAMSEYER. I should like to have some one explain what is meant by the language—

The State board of such State may appeal to the Congress of the United States.

Does that language give anyone a right that he did not have before?

Mr. BLACK. I called attention to that. The language does not confer any additional right at all. The State board may appeal to Congress, or any citizen may appeal to Congress.

Mr. RAMSEYER. It simply means the right of petition?

Mr. BLACK. That is what it is. I am not particularly committed to the idea of two years. It might be three years or four years, but some time should be definitely fixed when this money shall be covered into the Treasury.

Mr. FESS. Will the gentleman yield?

Mr. BLACK. Yes.

Mr. FESS. The language used is the language of the Smith-Hughes Act. That was put in because it was feared some controversy might arise where the Federal Government would withhold the money from a State for some reason; and if it should do it permanently—that is, if the Federal board should do it permanently—it would give the right of appeal to Congress and let Congress settle it.

As far as I am concerned, I would be perfectly willing to accept the gentleman's amendment, because I do not think any State is likely to jeopardize its right to use the money.

Mr. BLACK. Not within the period of two years. That will give them ample time; and it has the advantage of being definite and not to leave the time to speculation and conjecture.

Mr. NEWTON of Minnesota. Mr. Chairman, I have been much interested in the ingenious arguments that have been made to defeat this bill to rehabilitate the disabled men and women in industry.

The gentleman from Tennessee [Mr. GARRETT] speaks of this as being purely a State function, and in his usual forceful and eloquent manner has emphasized the importance of State duties. It is a State duty, and, Mr. Chairman, with rare exceptions, the States have long neglected that duty. But the obligation of rehabilitating the industrial cripple also belongs to the Nation. It is a joint obligation, and, with the States, the Nation has for some years seriously neglected the performance of its obligation. So that in rising to support this measure, Mr. Chairman, permit me to stress national duties and their performance.

In enacting this legislation into law the Nation will not only perform its own obligation but will assist the States in doing likewise.

The objections as to this legislation being unconstitutional and outside the proper sphere of Federal legislation could be urged with equal force against every Federal appropriation for education, public health, and agriculture. Something like \$26,000,000 was appropriated for educational purposes by Congress this last year. Thousands—yes, millions—of dollars are appropriated each year from the Federal Treasury to prevent cattle and hog diseases, and, in my opinion, wisely so.

In the early history of our country neither the States nor the Federal Government were called upon for legislation of this kind. Then as settlements grew up matters of education and the prevention of disease among cattle and hogs became a State legislative question. After 140 years of our country's history every part and portion of the country is dependent to a greater or less degree upon every other part, so that to-day the raising of hogs in the Middle West is of vital concern not only to the Middle West but to the citizen of the Eastern and Western States. If the farmer's cattle become diseased, not only he and his community are affected but the whole Nation.

In like manner has education become a Federal legislative question. And certainly, with the growth of industry, the disabling of thousands of workmen every year, thereby cutting short their producing power, is of concern not only to the workman and his family and to the community in which he resides but to the Nation as a whole. Changed conditions have made his welfare a matter of national concern. Congress is given power to legislate to promote the general welfare of the Nation. The general welfare requires that every man and woman be a producer. This bill will assist in making him one.

Numerous other objections have been raised which, with one exception, I will not attempt now to answer. It is urged that the measure may be all right, but following the Great War time is not opportune. In reply, I urge that now is the time. We have just won a great war.

There have been certain by-products to every war in American history. The Civil War was fought to preserve the Union. The great by-product was the abolition of human slavery. The

Spanish-American War was fought to protect American rights and to free Cuba. One of the by-products was the acquiring of overseas possessions, with the accompanying responsibility of the care and civilization of several million inhabitants.

The Great War which has just ended will also yield its by-products. Its waste of millions of human lives gave us all a keener appreciation of the worth and value of a human life. It was man power that broke the Hindenburg line. It was man power that furnished the munitions and supplies and the ships that carried them. We were literally a "whole nation in arms." There was a place for every man, woman, and child, and all were mobilized. That was national efficiency.

The war is over and before us are the perplexing problems of readjustment. In many respects these problems are more difficult of solution than the "winning of the war." The waste and extravagance of war time must cease. To really make an impression upon the high cost of living we must produce more and waste less.

We all believe in the prevention of waste by the repair and the salvaging of material. Much was attempted in that line during the war. This Congress has also with credit to itself taken a great step forward in salvaging the human wrecks of the Great War by setting aside \$80 a month for the rehabilitation of every disabled soldier. We have said to them that if possible, notwithstanding the injuries or disability received, they are to be made as economically free and independent as their country in whose defense they sustained their injuries.

This we have done out of love and gratitude, yes; but also for economic reasons. Several thousand maimed American soldiers are now in training and many other thousands will be.

But back of the man in khaki and in support of the American "doughboy" was the American workingman, who not only mobilized for the war but had been mobilized for industrial purposes for many years preceding the war. What this Congress is doing for the maimed and disabled soldier of our American Expeditionary Forces it ought at least to aid in doing for the disabled members of our industrial army. I urge this not only upon humanitarian but economic grounds.

Our wounded battle casualties in the American Expeditionary Forces were 230,000, of which about 100,000 can be rated as severe. Figures are not yet available as to the number that were permanently disabled. Compare this with our industrial losses per year. In one year of peace in our industrial army there are 2,000,000 casualties, of which 875,000 involve disabilities of over one month's duration. Of this number 75,000 involve loss of hands, arms, legs, fingers, or eyesight. In other words, in one year's time the losses in our industrial army were eight times as great as the total battle casualties were in the American Expeditionary Forces during the whole war, and bear in mind that this goes on year after year.

Many of these men are so injured that they can not go back to their occupation.

This figure of 2,000,000 does not take in those disabled in industry from disease.

What is the result? The efficient workman upon being disabled ceases to produce. The family man ceases to take care of those he was formerly able to take care of. Finally, the compensation fund is drawn in full and we find those others whose care he is naturally and legally charged with are forced to take care of him. Unable to care for himself he becomes a burden to others, being dependent he ceases to be able to act as an independent citizen. If a family man, thereby charged with the support of others and unable to do so, he sees the education of his children neglected and their future power as producers curtailed, thereby carrying the handicap into the next generation.

In this measure the Nation recognizes its joint debt with the States of the Union to the crippled industrial worker and signifies to the States its willingness to join with them in assisting in the rehabilitation of these maimed and disabled industrial workers. To every dollar contributed by the State the Government pays another dollar. For a precedent we have only to refer to the Morrill Act, originally introduced by Senator Morrill, of Vermont, in 1857, passing both Houses of Congress, but being vetoed by President Buchanan. It was again introduced in 1861, passed both Houses of Congress again, and received the sanction and approval of Abraham Lincoln in 1862. The State Agriculture and Engineering School received its start from this famous enactment carrying the name of the Vermont Senator. Then there is the Smith-Hughes educational act, which passed the last Congress, providing for Federal aid in vocational education of normal men and women. But why search for a precedent? A crippled and disabled workman is a loss not only to the State in which he resides but to the Nation to which he owes allegiance. The Great War has demonstrated the extent to which the Nation's life depends upon its

workers. The crippling and disabling of one of them is of concern not only to his dependents but to the State and to the Nation. That is precedent enough.

The gentleman from Missouri, the distinguished ex-Speaker of this House, in his remarks against this bill spoke of his support of Federal legislation to reclaim by drainage and irrigation waste and desert lands. We have heard much during the past few years of the necessity of the conservation of our oil lands, water power, forests, and other natural resources. I agree with the gentleman in the wisdom of such legislation, but I go further and urge the passage of this measure, which conserves that which is more important—the Nation's man power.

In times past Congress has appropriated large sums of money to reclaim arid and desert lands. Let this Congress appropriate a smaller sum to reclaim to a life of social usefulness to the Nation its disabled industrial workers by restoring to them the power of self-support. I urge in this period of readjustment that Congress perform its duty and permit the Nation to clean up the scrap heaps and waste dumps of modern industry. [Applause.]

The CHAIRMAN. All debate on this section and amendments thereto is closed. The first question is on the amendment.

Mr. ALMON. Mr. Chairman, I have an amendment to the amendment of the gentleman from Texas [Mr. BLACK]. I move to strike out the word "two" and insert the word "three," as many of the legislatures only meet once in four years.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. ALMON to the amendment offered by Mr. BLACK: Strike out the figure "2" and insert the figure "3."

The CHAIRMAN. The question is on the amendment to the amendment.

The question was taken, and the amendment to the amendment was agreed to.

The CHAIRMAN. The question now is on the amendment as amended.

The question was taken, and the amendment as amended was agreed to.

Mr. MACCRATE. Mr. Chairman, I have an amendment at the desk.

The Clerk read as follows:

Page 5, line 20, after the figure "1" in parentheses, strike out all down to and including the figure "2" in parentheses in line 23.

The CHAIRMAN. The question is on the amendment. The question was taken, and the amendment was rejected.

The Clerk read as follows:

SEC. 4. That the Secretary of the Treasury, upon the certification of the Federal board as provided in this act, shall pay quarterly to the custodian of each State appointed, as herein provided, the moneys to which it is entitled under the provisions of this act. The money so received by the custodian for any State shall be paid out on the requisition of the State board as reimbursement for services already rendered or expenditures already incurred and approved by said State board. The Federal Board for Vocational Education shall make an annual report to the Congress on or before December 1 on the administration of this act and shall include in such report the reports made by the State boards on the administration of this act by each State and the expenditure of the money allotted to each State.

Mr. WALSH. Mr. Chairman, I move to strike out the last word. I notice that the language in section 4, page 6, reads as follows:

That the Secretary of the Treasury, upon the certification of the Federal board, as provided in this act, shall pay quarterly to the custodian of each State appointed as herein provided the moneys to which it is entitled under the provisions of this act.

Do I understand that that language means that each State is to have a custodian appointed?

Mr. FESS. The State treasurer will be the State custodian.

Mr. WALSH. Why did not the committee provide that it should be paid to the State treasurer?

Mr. FESS. Because the Federal board administers the authority through the State board.

Mr. WALSH. What has that to do with the State treasury? It says "to the custodian in each State." I agree that if the States are going to embark on this proceeding they ought to have a custodian appointed for them, but I would like to know why it was not put into the hands of the treasurer of the State?

Mr. FESS. The act requires the States to appoint a custodian, which is the State treasurer, and he would be the one to administer the fund. The gentleman will find that language on the top of page 5, subdivision 5, that the custodian is the State treasurer, with whom the Federal board is dealing.

Mr. WALSH. That is, to appoint a custodian of said appropriation. It is not the custodian of the State. This is going to

be paid to the custodian of each State, as herein provided, and there is no provision in here for the custodian of the State.

Mr. FESS. The State treasurer is the custodian.

Mr. BANKHEAD. It makes the State treasurer the State custodian.

Mr. WALSH. Mr. Chairman, I see what was intended, and I do not wish to quibble about it. I do not see why a State should be empowered by the act of Congress to appoint somebody else to take care of its funds. If it is the State treasurer, the act should provide that the money should be paid to the State treasurer, and not attempt to give him any new fanciful title which might appeal to some of the distinguished scientists who will administer this act. I do not think it would appeal to the rich man or the poor man, including some of the cripples, who will have to bear the burden of this legislation by way of taxation in order to meet the expenditures.

Mr. EMERSON. Mr. Chairman, I expect to vote for this bill, and in view of the speeches made by the distinguished gentleman from Illinois [Mr. CANNON], and the distinguished Republican floor leader [Mr. MONDELL], I feel called upon to make this statement. I am about as independent as anybody in this House, and I do not take orders from anyone. I am personally responsible for every vote I cast here.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. EMERSON. Not now. I do not know Mr. Will H. Hays, chairman of the Republican national committee, and have not met him. I would not know him if he came in on this floor this minute. I have never talked with him about this or any other bill, and am not concerned about his views on this bill or upon any other bill. I cast my vote upon each bill upon the merits of that particular bill, uninfluenced by anybody. I vote in this House for what I consider right and against what I consider wrong. [Applause.]

Mr. BLACK. Mr. Chairman, I move to strike out the last two words. I would like to call the attention of the chairman to the language of the bill, with a view of asking whether he thinks it should be amended. At the close of the section on page 7 the following language occurs:

and shall include in such report the reports made by the State boards on the administration of this act by each State.

I call the attention of the chairman to the fact that there will probably be 48 of these reports, some of which might be of considerable length. It occurred to me that the language ought to be—

shall include in such reports abstracts of the reports made by the State boards.

I do not think they ought to embody the whole report, as it might be a very voluminous document.

Mr. FESS. Mr. Chairman, the idea of the committee was that the State boards should be required to report their activities to the vocational board, and then that that vocational board should be responsible to us and make a report to Congress. The idea was to report what is being done in the various States—not necessarily to be published, but to give it to us. I do not think there would be any special objection to making it an abstract, yet that would give a good deal of discretion to the Federal board. Our idea was to get into this body exactly what is being done in the State of Texas and in the State of Ohio and in other States.

Mr. BLACK. That is very true, but we already have stacks of Government documents that are never read, and if we leave this language in the bill we will have 48 State reports published as a supplement to the report of this board, which will make a very big document.

Mr. FESS. Does the gentleman think we ought to have voluminous reports?

Mr. BLACK. I think there ought to be abstracts of these State reports.

Mr. FESS. Where should the reports from the States be?

Mr. BLACK. They should be kept in the office of the vocational board, and that board should submit to Congress an abstract of those reports along with its report. Mr. Chairman, in line 7, after the word "report," I move to insert the words "abstracts of."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Texas.

The Clerk read as follows:

Amendment offered by Mr. BLACK: Page 7, line 7, after the word "report," insert the words "abstracts of."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. BLACK) there were—ayes 30, noes 45.

So the amendment was rejected.

Mr. WALSH. Mr. Chairman, I offer the following amendment, which I send to the desk and ask to have read.

The Clerk read as follows:

Amendment by Mr. WALSH: Page 6, line 23, strike out the word "custodian" and insert the word "treasurer"; and strike out "appointed as herein provided"; and on page 7, line 1, strike out the word "custodian" and insert the words "treasurer of."

Mr. WALSH. Mr. Chairman, this amendment simply seeks to provide that the money paid to the States shall go to the proper financial officer of the State by his proper title and does not change the meaning in any respect.

We are approaching the close of the consideration of this measure, and lest there be any misapprehension in the minds of my distinguished colleagues that my position has been changed by references made upon the floor by certain distinguished gentlemen, or by the appeals made to the accompaniment of the slow, sad music of humanity, I desire to say that I am still opposed to this measure and shall vote against it. I want also to say to those gentlemen who have referred to appropriations for the boll weevil, for the white-pine blister, and various other appropriations made by this Congress, that I did not support that measure, neither did I vote for it. If gentlemen will consult the Record, they will find that I was in a somewhat lonely and not distinguished minority of one when that bill was put upon its passage.

But I say that the gentlemen here in this Congress who have set upon the task of enacting legislation and who will in a few short months go back to the people of the land to report upon the manner in which they have performed their duties I believe are going to be met with the question, "What have you done to reduce the taxes and the burdens upon the people growing out of this Great War?" [Applause.] And I submit that I had rather defer acting upon these somewhat frantic appeals of the poor unfortunates—accompanied by demands made in the name of others who are not wholly and solely interested in the unfortunates, but more particularly interested in procuring a place upon the pay roll of Uncle Sam at salaries far outweighing the value of the services which they render—I say I prefer to say to my constituents that I have voted against appropriations for projects which might well be deferred until they have lessened somewhat the weight of the taxation that will follow the expenditures arising out of the war emergencies. [Applause.] And I do not fear that the verdict of the people throughout the land will approve the attitude of Members of this House, if that is what they are fearing, in going to the people for approval or ratification of their acts. So I submit, sir, as has been so well said before by gentlemen far more eloquent than myself, that the time is here now to set out upon a program of economy.

Mr. BLANTON. Will the gentleman yield?

Mr. WALSH. Let the States, these backward States that need stimulation—we are providing a new sort of stimulation, having wiped out by constitutional amendment and legislation alcoholic stimulation, and we will substitute for the States a stimulation in the shape of an appropriation from the Federal Treasury. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. CURRY of California. Mr. Chairman, I intend to vote for this bill, regardless of its crudities. I wish to call the attention of the committee to the fact that Congress is attempting by this bill what it attempted in other bills, like the Smith-Hughes bill and other bills, to legislate responsibility and duties on State officers that are not vested in the State officers by the constitution and laws of the State, and I do not believe that they can do so. In this bill the governors of the States and the legislatures of the States are entirely ignored. All they are good for, it seems to be, is to appropriate half of the money and the governor to sign the bill. When you come to deal with a State you should deal with the governor and not with the treasurer, a subordinate officer, who is sometimes elected by the people and in some States appointed by the governor and in other States appointed by the legislature. I do not think we have any right to impose duties on State officers that are not vested in them by the constitution and laws of their State. The Federal Government should deal with the State governments through their governors, who are their responsible executive officers. Regardless of these crudities and the fact that I do not think a number of things in the bill are constitutional, I am going to vote for the bill to show I believe in the reclamation of human wrecks, just as I do in the reclamation of overflowed lands. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the Chair announced the ayes appeared to have it.

A division was demanded.

The committee again divided; and there were—ayes 49, noes 4. So the amendment was agreed to.

The Clerk read as follows:

Sec. 5. That there is hereby appropriated to the Federal Board for Vocational Education the sum of \$200,000 annually for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and for the administrative expenses of said board incident to performing the duties imposed by this act, including salaries of such assistants, experts, clerks, and other employees, in the District of Columbia or elsewhere as the board may deem necessary, actual traveling and other necessary expenses incurred by the members of the board and by its employees, under its orders, including attendance at meetings of educational associations and other organizations, rent and equipment of offices in the District of Columbia and elsewhere, purchase of books of reference, law books, and periodicals, stationery, typewriters and exchange thereof, miscellaneous supplies, postage on foreign mail, printing and binding to be done at the Government Printing Office, and all other necessary expenses.

Mr. BLANTON. Mr. Chairman, I offer a perfecting amendment which will make the committee amendment unnecessary if adopted, and I desire to offer it at this time.

The CHAIRMAN. The committee amendment comes first.

Mr. BLANTON. It is in the nature of a perfecting amendment which, if adopted, would make the committee amendment inapplicable.

The CHAIRMAN. The committee amendments are perfecting amendments and should be considered first under the rule. The Clerk will report them.

The Clerk read as follows:

Page 7, line 10, after the word "hereby," insert the words "authorized to be."

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Page 7, line 12, after the word "of," strike out "\$200,000 annually" and insert "\$100,000 for the fiscal year ending June 30, 1921, and annually thereafter, for the period of four years, \$150,000."

Mr. FESS. Mr. Chairman, I ask unanimous consent to change the figure 1921 to 1920. It is a typographical error.

The CHAIRMAN. Unless objection is made, it will be considered as agreed to.

Mr. BLACK. Mr. Chairman, reserving the right to object, does the gentleman mean to authorize an appropriation of \$100,000 to be used by this board for the remainder of the present fiscal year?

Mr. FESS. That figure is to correspond with authorized appropriations in the section preceding.

The CHAIRMAN. Without objection, the amendment will be considered as agreed to.

There was no objection.

Mr. GOOD. Mr. Chairman—

Mr. BLANTON. Mr. Chairman, I ask recognition as a member of the committee on an amendment that I have to offer.

The CHAIRMAN. There is an amendment pending.

Mr. GOOD. I wish to ask a question concerning the committee amendment. How was the sum of \$100,000 for the fiscal year ending June 30, 1920, and the sum of \$150,000 thereafter for the period of four years arrived at?

Mr. FESS. By the estimation of the administrative expense, which will at least require one director. It is estimated there will be at least four surgeons and there will be about 14 districts, which will follow the rules of the Smith-Hughes Act, making an assistant director at the head of each district, and then there is provision for making studies and investigations generally, taken from the other act, which carried \$200,000 for the purpose, to make these investigations in connection with the Commerce Department and Labor Department and other departments of the Government.

Mr. GOOD. Was this the estimate of the Vocational Board?

Mr. FESS. They estimated \$200,000. We cut it.

Mr. GOOD. Two hundred thousand dollars for each year?

Mr. FESS. Yes.

Mr. GOOD. Of course, for this year you are giving them practically their estimate, because this bill will not become a law until practically half the year has gone.

Mr. FESS. That is true. However, this was done back in June.

Mr. GOOD. Mr. Chairman, I offer an amendment to the committee amendment, to strike out the figures "\$100,000," in line 12, and insert in lieu thereof the figures "\$50,000"; and in line 14 strike out "\$150,000" and insert in lieu thereof "\$75,000."

The CHAIRMAN. The Clerk will report the amendment of the gentleman from Iowa.

The Clerk read as follows:

Amendment offered by Mr. GOOD: Amend the committee amendment, page 7, line 12, by striking out "\$100,000" and inserting in lieu thereof "\$50,000"; and on page 7, line 14, by striking out "\$150,000" and inserting in lieu thereof "\$75,000."

Mr. GOOD. Mr. Chairman, in offering this amendment I do not want it understood that I have changed my opinion in the least in regard to the desirability at this time of passing this kind of legislation. I think it is fatal. I think we ought not to do it. I think the party that stands for it and attempts to make a party issue of it will have something to answer for and will be sorry that it ever took that stand. I am absolutely opposed to building up these great bureaus with high-salaried officials, and if this amendment is adopted I shall move to strike out the \$5,000 position and the \$4,000 position carried in the bill.

Mr. Chairman, the Vocational Board has already 1 official at \$6,000 a year, 2 at \$5,000 a year, 28 at not in excess of \$4,000 a year, and 27 at not exceeding \$3,500 a year, and 70 at \$3,000 a year. I am opposed to indefinitely extending that sort of thing.

I submit it is not necessary to make this survey to the extent that is proposed here. It should be made by the respective States. I undertake to say it is not necessary to rehabilitate all the college professors in the United States that are worn out and to find jobs for them. [Applause.] And I am afraid that that is what this bill proposes.

I have here a letter received from the Secretary of the Treasury, in which he states that for the last fiscal year we received over \$485,000,000 taxes on liquor. I am advised that for the month of August there were practically no receipts from such taxes. Unless that law is modified by presidential proclamation we will receive none.

I have another letter from the editor of a leading magazine, calling my attention to the fact that the New York Chamber of Commerce has gone on record in favor of limiting appropriations by Congress for the next fiscal year to \$2,700,000,000, a thing that is absolutely impossible, no matter how economical Congress may be, even if it does not pass another law requiring appropriations. I stated several times, and I repeat now, that by the practice of the strictest economy, by not enacting a single piece of legislation that will require additional appropriations, I do not see how, for the fiscal year ending July 1, 1921, we can bring the appropriations much, if any, under \$4,000,000,000. Where is the money to come from, I ask you who vote for this and kindred legislation at this time, desirable as it may be to help the cripples? Answer by your vote where you propose to get the money. A business man, before entering into a contract for the purchase of property, usually first determines the source from which he will get the money with which to discharge the obligation. If he has not the money, and does not know where it is coming from, he refuses to make the purchase. Some day Congress will be guided by the same principle. It will come, just as the gentleman from Tennessee [Mr. GARRETT] explained, from the taxpayers of the several States of the Union. But it will come in a different form. It does not come from all of them. These cripples should be rehabilitated by all the people of all the States. Every man who has property, whether he pays an income tax or not, ought to pay something for such a cause, and the only way to make him pay it is to have the States do those things that the States ought to do, and among those things which the States should do is the care of their indigent poor and the care of their injured and their sick. Every State does it now. [Applause.]

The CHAIRMAN. The time of the gentleman from Iowa has expired.

Mr. REED of West Virginia. Mr. Chairman, I ask unanimous consent to extend my remarks in the Record.

The CHAIRMAN. Is there objection to the gentleman's request?

There was no objection.

Mr. NEWTON of Minnesota. Mr. Chairman, I make the same request.

The CHAIRMAN. Is there objection to the request of the gentleman from Minnesota?

There was no objection.

Mr. FESS. Mr. Chairman and gentlemen of the committee, this bill has been assaulted from every possible angle. There are those who feel that it is a work that ought to be done, but that the Federal authority should not do it; therefore it should be defeated. There are others who think that while we do make provision, we should pare it down to the very lowest minimum, so that if it can not be defeated on its merits it can be nullified in its effect.

The gentleman who has just now so eloquently addressed us [Mr. Goon] makes as much noise over the most insignificant item of an appropriation as he does over the maximum appropriation for any governmental function. That is a fairly good characteristic. I remember that Mr. Gladstone said, "What I do I do with all my might, because it is not worth doing unless it entails all the strength that I have." I am concerned, gentlemen of the committee, not with whether this bill is going to pass or not, for I am satisfied it will become law; I am not particular, so far as I am concerned as author of the measure, whether the Congress passes it or not. It matters very little to me save my desire to see a constructive piece of legislation. It has to be left to the judgment of the Congress, and to this Congress which must take the responsibility of its defeat. It seems to me that it is a form of legislation that ought to receive a different consideration from what our membership has accorded to it. The character of the opposition must ever stand as a comment upon our attitude on a progressive measure.

I believe that it is the function of the Government to rehabilitate and rebuild the poor fellow who has lost any limb, who has come to be not only a wreck and a burden to himself, but a subject of charity on the public and under a hopeless despair, so far as he himself is concerned, a charge not only to himself but on the people. It is a wise provision to train him so that he can be self-supporting and make out of himself something, where before he was merely a subject of charity. And that is the purpose of this bill.

Now, so far as the amendment of my friend from Iowa [Mr. Goon], who makes an assault on the whole bill, is concerned, I am not disturbed as to whether this maximum sum be given or not. What I want to avoid is the House passing a provision and then emasculating it to make it ineffective. The author of the amendment is an enemy of the bill and can not be considered favorably. It is true that the Federal board has the sum of \$200,000 for this purpose under the Smith-Hughes Act.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. FESS. It is true also that it has a similar sum under the act for the rehabilitation of crippled soldiers, and I am rather in sympathy with the idea that at this time, for a year at least, it might be advisable not to make the maximum appropriation for the administration, although I have some fear that it may cripple the work.

Mr. STEVENSON. Mr. Chairman, will the gentleman yield?

Mr. FESS. If the gentleman from Iowa would offer an amendment to make the first appropriation \$50,000 and the permanent appropriation \$100,000, I would be willing to accept it so far as I am concerned.

Mr. GOOD. Mr. Chairman, will the gentleman yield?

Mr. FESS. I will.

Mr. GOOD. I will say to the gentleman that I think it has been the experience of every man who has served on an appropriation committee that when you put in a maximum the trouble is that every man who is administering that act comes and asks for the maximum.

Mr. FESS. That is true.

Mr. GOOD. That is the trouble.

Mr. FESS. We did cut the estimate down from \$200,000 to \$100,000.

Mr. GOOD. But I am a little afraid that they made it on the basis of these large salaries.

Mr. FESS. Will not my friend admit that whatever we had brought in here, he would have attempted to reduce it?

Mr. GOOD. I think if the gentleman had brought in just the amount estimated I would have questioned it.

Mr. FESS. We did not think that original amount would be required, and we cut it squarely in two.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. STEVENSON. Mr. Chairman, I wanted to ask the gentleman a question on a matter of information. I would like him to have another minute.

Mr. FESS. I ask unanimous consent for one minute more, Mr. Chairman, to enable the gentleman to ask me a question.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. STEVENSON. There is a provision here for the purchase of law books for these people. I noticed that was in the Vocational Board provision before, and the question that arises in my mind is, When are they going to buy enough law books? And what will they do with them when they get them?

Mr. BANKHEAD. As to that, I am going to move to strike it out.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. BLACK. Mr. Chairman, I ask unanimous consent that the amendment be divided.

The CHAIRMAN. Without objection, the Clerk will report the first amendment.

The Clerk read as follows:

Amendment of Mr. Goon to the committee amendment: On page 7, line 12, strike out "\$100,000" and insert "\$50,000."

The CHAIRMAN. The question is on the amendment as reported.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 7, line 14, strike out "\$150,000" and insert in lieu thereof "\$75,000."

The amendment was agreed to.

Mr. BANKHEAD. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Alabama offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Strike out, on page 7, in lines 14 to 17, the words "for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations," and in lines 23 and 24 the words "including attendance at meetings of educational associations and other organizations," and on page 8, line 1, the words "and elsewhere, purchase of books of reference, law books, and periodicals."

Mr. WALSH. Mr. Chairman, would not the gentleman prefer to offer that after the committee amendments to this section have been disposed of? That is the usual method.

Mr. BANKHEAD. We have not reached the committee amendments. I think we ought to perfect the text.

Mr. WALSH. The other way is customary.

The CHAIRMAN. The Chair feels impelled to rule that the committee amendments have not yet been disposed of, and that they are entitled to first consideration. The amendment of the gentleman from Alabama [Mr. BANKHEAD] will be pending. The question is on the committee amendment as amended by the motion of the gentleman from Iowa.

The committee amendment as amended was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Page 8, after line 5, insert the following:

"A full report of all expenses under this section, including names of all employees and salaries paid them, traveling expenses and other expenses incurred by each and every employee and by members of the board, shall be submitted annually to Congress by the board."

No salaries shall be paid out of the fund provided in this section in excess of the following amounts: At the rate of \$5,000 per annum, to not more than one person; at the rate of \$4,000 per annum each, to not more than four persons; at the rate of \$3,500 per annum each, to not more than five persons; and no other employee shall receive compensation at a rate in excess of \$2,500 per annum: *Provided*, That no person receiving compensation at less than \$3,500 per annum shall receive in excess of the amount of compensation paid in the regular departments of the Government for like or similar services."

Mr. GOOD. Mr. Chairman, I move to strike out of the committee amendment, commencing in line 12, the following: "at the rate of \$5,000 per annum, not more than one person"; and, in line 14, strike out the word "four" and insert the word "one."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment to the committee amendment offered by Mr. GOOD: Page 8, line 12, after the word "amounts," strike out the words "at the rate of \$5,000 per annum, to not more than one person"; and, in line 14, strike out the word "four" and insert the word "one."

Mr. GOOD. Mr. Chairman, the committee amendment provides for one person at \$5,000 and for four persons at \$4,000 and for not more than five at \$3,500. My amendment strikes out the provision for one person at \$5,000, and would eliminate three persons at \$4,000 per annum. [Applause.]

Mr. FESS. Mr. Chairman, I hope the friends of the bill will not allow this emasculation. We must have a director of this work, whose duties are different from the work of the head of the vocational board. We must also have some surgeons. It is estimated that for the whole country we ought to have at least four. It is absolutely impossible to get men of any recognition for the salary that is now written into this in the form of limitations, and if we are to pass the bill at all it would seem to me that we ought not to emasculate it and make it ineffective.

I hope the friends of the bill will not permit this to be done.

The CHAIRMAN. The question is on the amendment of the gentleman from Iowa.

The question being taken, the Chairman announced that the yeas appeared to have it.

Mr. BLANTON. Division, Mr. Chairman.

The committee divided; and there were 58 yeas and 54 noes.

Mr. SEARS and Mr. BLAND of Indiana demanded tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. FESS and Mr. GOOD.

The committee again divided; and the tellers reported that there were 63 ayes and 66 noes.

So the amendment was rejected.

Mr. WALSH. Mr. Chairman, I offer the following amendment to the committee amendment.

The Clerk read as follows:

Page 8, line 21, insert at the end of line 21 the following:

"Provided, That no part of the moneys herein authorized shall be expended for the publication, printing, or preparation of any magazine, paper, or periodical unless authorized by the Joint Committee on Printing."

Mr. WALSH. Mr. Chairman, this simply applies a little supervision by the Joint Committee on Printing in regard to the expenditure of this money for printing purposes. The Federal Vocational Board publishes a vocational summary. It is somewhat in line with the publication which conveys to a waiting world the information that each bouncing baby born into the world has an economic value of \$90. It also contains poems on the order of "Mary had a little lamb" and similar works of distinguished authors, would-be poets, and literateurs. We have a Joint Committee on Printing, and in several appropriation bills we restrict the great appetite for publicity on the part of these bureaus, providing that the money shall not be used to print magazines, periodicals, or newspapers. I think we ought to say to this distinguished gathering which will administer most of the provisions in this act, and spend most of the money in gathering and rehabilitating broken-down pedagogues, who will get on the pay roll at salaries far in excess of those they have been accustomed to receive in their youthful years, and will have an opportunity to exploit some of their pet theories, that among the activities they shall not pursue will be that of country editor at the expense of Uncle Sam; that if they wish to publish a magazine or newspaper or periodical they must submit it to the Joint Committee on Printing the same as other activities do.

Mr. FESS. Will the gentleman yield?

Mr. WALSH. Certainly.

Mr. FESS. The amendment which the gentleman offers will not prevent the publication of the result of the research and the work of the board?

Mr. WALSH. No, sir.

Mr. FESS. I am in hearty sympathy with what the gentleman wants to do in stopping the publication of periodicals, and so forth.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Massachusetts.

The question was taken, and the amendment was agreed to.

Mr. GOOD. Mr. Chairman, I offer the following amendment to the committee amendment. Strike out the provision "at the rate of \$5,000 per annum for not more than one person," and insert the following: "No person shall be employed at the rate of \$5,000 per annum or more."

Mr. BANKHEAD. Mr. Chairman, I make the point of order that that in substance was voted on by the committee a few minutes ago.

The CHAIRMAN. The Chair thinks that the point of order is well taken.

Mr. GOOD. Mr. Chairman, the question before the committee was to strike out and was modified by other provisions in the amendment. I am sure the Chair did not have that in mind.

The CHAIRMAN. The Chair had that in mind.

Mr. GOOD. It is true the amendment was to strike out that provision, but included with it was a provision that only one person should be employed at \$4,000 instead of four. I am inclined to think that when the vote was taken it was the judgment of the committee that the proposition might injure the bill by striking out three persons at \$4,000. I do not believe that anybody will contend that injury would result by striking out the provision for the \$5,000 position. I submit to the Chair that where the matter was tied up with other matters it could not be said that this matter was passed upon by the House, because it was passed upon with other matters providing for a salary of three additional persons.

Mr. KELLEY of Michigan. Under the language the gentleman has submitted, could the board pay \$4,999.99? If so, the amendment is meaningless.

Mr. GOOD. Mr. Chairman, I do not care to dispute the decision of the Chair. I offer another amendment, to strike out the figures "\$5,000" and insert the figures "\$4,000."

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. GOOD to the committee amendment: Page 8, line 13, strike out "\$5,000" and insert "\$4,000."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken; and on a division (demanded by Mr. GOOD) there were—ayes 72, noes 64.

So the amendment was agreed to.

Mr. FESS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FESS. I would like to know how the bill will read with that amendment agreed to?

The CHAIRMAN. The Clerk will report the bill as it will read with the amendment adopted.

The Clerk read as follows:

"No salaries shall be paid out of the funds provided in this section in excess of the following amounts: At the rate of \$4,000 per annum, to not more than one person; at the rate of \$4,000 per annum each, to not more than four persons."

Mr. GOOD. Mr. Chairman, I move to strike out the following: "at the rate of \$4,000 per annum each, to not more than four persons."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 8, line 13, after the word "person," strike out "at the rate of \$4,000 per annum each, to not more than four persons."

Mr. GOOD. Mr. Chairman, I want to say this in regard to these amendments: Until a few years ago the district judges in my State, as I recall, were paid \$3,500 per annum, and to-day they receive about \$4,200 per annum. The governor of my State until a few years ago received only \$5,000 a year; and never before, until this Vocational Board was established and until it commenced to make these raids on the Treasury, did we think of appropriating money as we have been appropriating it in fixing these salaries for low-priced men. On the Republican side of the House we have been denouncing the administration for creating new positions carrying high salaries, yet here we propose a plan to rehabilitate the college professors of the United States and give them higher salaries than the judges of the district courts in most of the States receive, and as high salaries as the judges of the supreme court in some States receive. The gentleman says that you can not get physicians. In the sundry civil appropriation act there is an appropriation for more than 100 physicians at salaries, as I recall, at less than \$2,600 a year; and Gen. Blue says he is getting all of the capable physicians at that price that he wants. If we are going to economize, then let us quit talking economy while practicing extravagance. [Applause.]

Mr. FESS. Mr. Chairman, the crime of being a college man I shall neither palliate nor deny. Any place outside of this Congress such a position is not a reproach. I do not put myself in the position of one who must be rehabilitated or resuscitated, as the gentleman from Iowa [Mr. Good] declares to be the purpose of this legislation. If this bill is limited to the purview of the gentleman who has just spoken, namely, college professors, then we can afford certainly to defeat it entirely. But valuable legislation can not be defeated by mere meaningless declarations. That is not the purpose of the bill. The purpose of the bill is to aid the cripples who need rebuilding in order to free themselves from public charge. There are 700,000 who are crippled to the extent of four weeks' loss of time; most of them will not need help. But there are 22,500 who are totally crippled. It is true that if you scale that down to meet the compensation of the Federal Compensation Bureau there would not be the great number that have been detailed by the late John Mitchell and other witnesses who have appeared before the committee.

This bill was unanimously indorsed by the New York Congress of Safety Association, representing the employers of that State, the compensation commission of that State, and the Federation of Labor of New York. This congress in its last convention gave its unanimous indorsement to this bill. It was also indorsed by the National Manufacturers' Association and by the International Association of States Compensation Commissions. It has been indorsed by the various chambers of commerce and many business associations. It has been indorsed by the American Association for Labor Legislation, many State compensation commissions, and by many educational departments of various States. It has been indorsed by the Safety Institute of America and the Federal Compensation Commission. It has been indorsed by the tuberculosis association and dozens of other associations of the country. It is resisted and assaulted only here on the floor of the House by men who cry for economy and vote for every conceivable outlay save when to assist man to become a better man. They will vote for a million dollars amidst loud acclaim to take care of tuberculosis in cattle, "but, my God, I want to stop at doing anything for the poor human wreck who accidentally fell into a machine." [Applause.]

And if the gentleman arrayed against this measure can not defeat it on its merits, then he comes in when the measure is completed and attempts to emasculate it by making it impossible to administer the law that we pass. I hope the friends of this measure will not allow that. [Applause.]

Mr. WALSH. Mr. Chairman, the tremendous outburst of enthusiasm following the remarkable burst of eloquence of the distinguished gentleman from Ohio has a peculiar significance, because for the first time we have had it authentically stated upon the floor of the House that this measure is indorsed by the American Federation of Labor, and immediately there is an uproar on the part of those who seek to bask in the sunshine of Samuel Gompers [applause] and some of the other satellites who are down here now attempting to tell the Capital and the people of the country how the industries and the Government of the United States should be conducted. The responsibility does not rest upon the American Federation of Labor to provide the taxes which will be called upon to meet these appropriations and the responsibility does not rest upon the National Safety Confederation of the State of New York to provide the money to meet these appropriations. The responsibility will rest upon the people of the United States. The gentleman says that this bill is assailed only by those who plead for economy.

Mr. SNYDER. Will the gentleman yield?

Mr. WALSH. This bill is also attacked by those who believe it is not the duty of the Federal Government to rehabilitate people injured in private employment and those who are handicapped as a result of accident and misfortune. I will yield to the gentleman for a question only.

Mr. SNYDER. I would just like to say—

Mr. WALSH. If the gentleman will ask a question I will yield.

Mr. SNYDER. I just want to make a statement of just about a half a minute—

Mr. WALSH. I can not yield for a statement; the gentleman can secure time.

Mr. BLAND of Indiana. Will the gentleman yield?

Mr. WALSH. For a question.

Mr. BLAND of Indiana. Does the gentleman think anyone here who really wants this legislation put into effect, and put into effect effectively, would be justified in voting for this amendment?

Mr. WALSH. Mr. Chairman, in reply to the gentleman I will say yes, because you can get men to do this work at these salaries, and it is in line with the salaries paid to a vast number of other Government officials doing work of equal importance.

Mr. BLANTON. Will the gentleman yield?

Mr. WALSH. I say this bill is opposed by men who say it is not a part of the duty of the Federal Government to rehabilitate people injured in private employment, and they cite the land-grant colleges and these various other appropriations that have been made as a precedent. Why, those were based upon an entirely different principle than upon the principle which is sought to be invoked here; and, as I said before, if you start on this appropriation—many of us here perhaps will not be here to see it, but some of you Members will—you will see when we will come to be called upon to appropriate not a paltry million dollars of money, but many, many millions of dollars for this purpose, and when we will be called upon to appropriate money for the dependents of the cripples who have been injured in industries and furnish them with medical attendance and medicine at the expense of the Federal Treasury.

Mr. SNYDER. Mr. Chairman, I move to strike out the last word.

Mr. BANKHEAD. Mr. Chairman, I make the point of order that debate has been exhausted.

The CHAIRMAN. The gentleman from New York moves to strike out the last word.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

Mr. SNYDER. Mr. Chairman, I believe I have the floor.

Mr. BLANTON. Mr. Chairman, a point of order. Is not a motion to rise in order at any time?

The CHAIRMAN. If the gentleman is recognized.

Mr. BLANTON. Is not a Member entitled to recognition?

The CHAIRMAN. The gentleman from New York has been recognized.

Mr. SNYDER. Mr. Chairman, I rise to correct a statement that has been made by the gentleman in charge of the bill. So far as one member of the Manufacturers' Association of the State of New York is concerned, usually since I have been in this House, when the Manufacturers' Association of the State of New York have indorsed any measure, my attention has been called to that and I have been asked to take action upon it. So far as I am able to state no vote has been asked of me as a

member of the Association of the Manufacturers of the State of New York with regard to this measure.

Mr. FESS. Will the gentleman yield?

Mr. SNYDER. Certainly.

Mr. FESS. Does the gentleman know F. W. Keough?

Mr. SNYDER. I do not know that I do.

Mr. FESS. Representing the American Association of Manufacturers?

Mr. SNYDER. I am not a member of the National Association of Manufacturers. I am speaking of the manufacturers of the State of New York.

Mr. FESS. The national association is what I refer to.

Mr. SNYDER. And so far as I know the State association has not indorsed this measure.

Mr. GARRETT. Will the gentleman from New York yield?

Mr. SNYDER. I yield.

Mr. GARRETT. Would it be strange if the manufacturers had indorsed this measure?

Mr. SNYDER. No; I do not think it would be strange by any means.

Mr. GOOD. Mr. Chairman, I ask unanimous consent to modify my amendment in this particular, so that the amendment will read "at the rate of \$3,600 per annum each to not more than four persons."

The CHAIRMAN. The Clerk will report the suggested modification.

The Clerk read as follows:

Mr. GOOD modifies his amendment so that it will read: "On page 8, line 13, after the word 'person,' insert: 'at the rate of \$3,600 per annum each to not more than four persons.'"

Mr. GOOD. Mr. Chairman—

The CHAIRMAN. The gentleman asks unanimous consent to modify his amendment in the manner suggested.

Mr. COOPER. Mr. Chairman, I object.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Iowa [Mr. GOOD].

Mr. GOOD. Mr. Chairman, I ask unanimous consent to withdraw the amendment. I suppose the gentleman from Ohio [Mr. COOPER] is opposed to it.

The CHAIRMAN. Is there objection to withdrawal of the amendment offered by the gentleman from Iowa? [After a pause.] The Chair hears none.

Mr. GOOD. Mr. Chairman, I move to amend the committee amendment by striking out the figures "\$4,000," in line 14, and inserting the figures "\$3,600."

Mr. FESS. Mr. Chairman, I make the point of order that you can not take out a figure that you have put in once and do it by piecemeal, as the gentleman is now doing, as he took out "\$5,000" and then took out "\$4,000." I think the Chair was correct when he ruled that could not be done.

Mr. GOOD. Will the gentleman yield?

Mr. FESS. I yield.

Mr. GOOD. In line 13 the committee have stricken out the figures "\$5,000" and inserted "\$4,000." Now the figures "\$4,000," in line 14, have not been stricken out. They stand as the committee amendment, and I am offering to strike them out and insert "\$3,600."

The CHAIRMAN. The Chair thinks the point of order is not well taken against the amendment.

The question was on agreeing to the amendment.

Mr. GOOD. Mr. Chairman, I desire recognition on the amendment. For the first time and only in the consideration of this bill have I heard any assault on hog cholera, the cattle tick, the bollworm, and all of these other pests that have been referred to by the gentleman from Ohio [Mr. Fess] and others, and I shall be very much interested in looking up the record of these gentlemen who are now depreciating the fact that appropriations have been made for such purpose to find out when they took the floor and offered amendments to strike out such provisions in the Agriculture appropriation bill.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. In just a minute. If the gentleman from Ohio [Mr. Fess] will move and work as earnestly for the elimination of some of those items in the Agricultural bill when that bill comes before the committee of the next Congress, I will assist him with all my might to try to have them greatly reduced.

Mr. FESS. Will the gentleman yield?

Mr. GOOD. For a question.

Mr. FESS. The gentleman and I voted for those measures. We were together then. We part now when we vote for rehabilitation.

Mr. GOOD. Then, why do you complain of those things? If you have voted for them, you ought to be satisfied.

Mr. FESS. I voted for both. You are voting for hogs and not for men. [Loud applause.]

Mr. BLAND of Indiana. Mr. Chairman, I make the point of order that the gentleman from Iowa is not discussing the amendment.

Mr. GOOD. The gentleman from Ohio votes for the extermination of the cattle tick and for the eradication of the boll weevil and for the control of the hog cholera, but when it comes to bringing in a resolution for men who have lost a finger or two fingers, what does he say about the man or the woman or the child who contracts the deadly disease of tuberculosis in the factory? Does he propose to do a thing for that poor unfortunate?

Mr. FESS. Yes. The bill provides for that.

Mr. GOOD. Oh, no. Does the gentleman bring out a bill providing for the poor child who has lost a father and who is left an orphan, with no one to protect him or defend him? Oh, no. The gentleman does nothing of the kind. No; so far as such unfortunate is concerned, he, too, first votes for hogs. He brings out a bill here, perchance, because it is the opinion of "forward-looking men," who hear voices in the sky calling to him to report out a bill simply to rehabilitate the man with a finger off. I believe that all the unfortunates in the United States should be cared for tenderly out of the treasuries of the respective States and not out of the Treasury of the United States. [Applause.]

Mr. FESS. Mr. Chairman, I move that the debate be now closed.

The CHAIRMAN. The gentleman from Ohio moves that the debate be now closed. The question is on agreeing to that motion.

The motion was agreed to.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Iowa [Mr. Good].

The question was taken, and the Chairman announced that the ayes appeared to have it.

Mr. FESS. A division, Mr. Chairman.

The CHAIRMAN. A division is demanded.

The committee divided; and there were—ayes 86, noes 77.

Mr. BLAND of Indiana. Tellers, Mr. Chairman.

The CHAIRMAN. Tellers are demanded. Those in favor of taking the vote by tellers will rise and stand until they are counted. [After counting.] A sufficient number have risen. The gentleman from Ohio [Mr. Fess] and the gentleman from Iowa [Mr. Good] will take their places as tellers.

The committee again divided; and the tellers reported—ayes 88, noes 86.

So the amendment was agreed to.

The CHAIRMAN. The question now is on agreeing to the committee amendment as amended.

The committee amendment as amended was agreed to.

Mr. BANKHEAD. Mr. Chairman, I ask for the reading of my amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Alabama.

The Clerk read as follows:

Amendment offered by Mr. BANKHEAD: Page 7, lines 14 to 17, strike out the words "for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations, and," and in lines 23 and 24 strike out the words "including attendance at meetings of educational associations and other organizations," and, on page 7, line 25, and on page 8, lines 1 and 2, respectively, strike out the words "and elsewhere, purchase of books of reference, law books, and periodicals."

Mr. BANKHEAD. Mr. Chairman, I ask unanimous consent to correct the second section of the amendment so as to include "attendance on meetings." Inadvertently I left that out.

The CHAIRMAN. The gentleman from Alabama asks unanimous consent to amend the second section of his amendment by including "attendance at meetings." Is there objection?

There was no objection.

Mr. BLANTON. Mr. Chairman, I move that the committee do now rise.

Mr. BANKHEAD. Mr. Chairman, I am entitled to the floor.

The CHAIRMAN. The gentleman from Alabama [Mr. BANKHEAD] has the floor, and the motion of the gentleman from Texas is not in order now.

Mr. BANKHEAD. Mr. Chairman, in view of the fact that the Vocational Board, under its experience and administration of the Smith-Hughes Educational Act and also the act for the rehabilitation of the disabled soldiers—

Mr. VARE. Mr. Chairman, may we have the amendment read?

The CHAIRMAN. It has just been reported.

Mr. BANKHEAD. This amendment is simply to eliminate from this bill some authorizations for the expenditure of money which, in my judgment, without conference with other members

of the committee, is not authorized under the existing status of the Vocational Board, for the reason that—

Mr. FESS. Mr. Chairman, will the gentleman yield?

Mr. BANKHEAD. I shall be glad to.

Mr. FESS. I think I will agree with what the gentleman has to say. This is purely administrative, and, quite naturally, it would be included in the investigations.

Mr. BANKHEAD. The gentleman does not oppose the amendment?

Mr. FESS. As far as I am concerned, I accept the amendment.

Mr. BANKHEAD. I ask for a vote on the amendment.

Mr. VARE. May we have the amendment reported again?

The CHAIRMAN. Without objection, the amendment will be again reported.

The amendment was again read.

The CHAIRMAN. The question is on the amendment offered by the gentleman.

Mr. GARD. Mr. Chairman, I desire to be heard in opposition to the amendment. I call the attention of the chairman of the committee to the language proposed to be stricken out, which is "for the purpose of making studies, investigations, and reports regarding the vocational rehabilitation of disabled persons and their placements in suitable or gainful occupations."

It seems to me this is the very gist of the work of the Federal Board for Vocational Rehabilitation, and is the very thing that the money should be expended for, because the rest of it is merely for the common administrative expenses of the board.

Mr. FESS. I want to say to my friend that the Federal board has a force employed, and if there is any need of this work it will be done through the Department of Labor and also through the Department of Commerce, which two departments work in close cooperation. For that reason I did not think it would cripple the bill to let it go out.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Alabama [Mr. BANKHEAD].

The amendment was agreed to.

Mr. BLANTON. Mr. Chairman, as a member of the committee I offer an amendment.

The CHAIRMAN. The gentleman from Texas offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. BLANTON: Page 7, line 10, strike out all of section 5.

Mr. BLANTON. Mr. Chairman, on page 2 of this bill there is authorized to be appropriated \$500,000 for the first year; for the second year \$750,000, and for the third year \$1,000,000.

But we do not stop there. On the bottom of that page you will find provision for further appropriations. In addition to the appropriations I have mentioned you will find an additional appropriation for the first year of \$66,000; an additional appropriation for the second year of \$46,000; and an additional appropriation for the third year of \$34,000; these appropriations being in order to make it possible that the minimum allotment of \$5,000 can be made to each State. That is all right as far as it goes. But these additional appropriations of \$50,000 for the remainder of this year and \$75,000 each for the succeeding three years in section 5 are for administration alone. Now, it has been stated upon the floor by every member of this committee from the chairman down that the only function that this Federal board would have with respect to this fund, so far as the Federal board was concerned, was to apportion the money to the States. Yet in section 5 we are providing for the expenditure of \$50,000 for the rest of this fiscal year for administrative purposes alone, and for each and every year for four years we are providing for an additional expenditure of \$75,000 for administrative purposes alone. For administering the fund for rehabilitating our soldiers this Federal board already has its machinery, its offices, its officers, assistants, experts, clerks, stenographers, and does not need any more. Now, what are some of these purposes? Let me read to you. [Cries of "Vote! Vote!"] Oh, Mr. Chairman, that is not going to stop me, if I have any of my five minutes left. I have heard the howling of the coyotes on the plains of west Texas so often that mere noise does not bother me or disconcert me. Now, let us see what this does.

The CHAIRMAN. The time of the gentleman has expired. The question is on the amendment of the gentleman from Texas.

The question being taken, the amendment was rejected.

The Clerk read as follows:

SEC. 6. That the Federal Board for Vocational Education is hereby authorized and empowered to receive such gifts and donations from either public or private sources as may be offered unconditionally. All moneys received as gifts or donations shall be paid into the Treasury of the United States, and shall constitute a permanent fund, to be called the "Special fund for vocational rehabilitation of disabled per-

sons," to be used under the direction of the said board to defray the expenses of providing and maintaining courses of vocational rehabilitation in special cases, including the payment of necessary expenses of persons undergoing training. A full report of all gifts and donations offered and accepted, together with the names of the donors and the respective amounts contributed by each, and all disbursements therefrom shall be submitted annually to Congress by said board.

Mr. SEARS. Mr. Chairman, I move to strike out the last word.

Mr. BEE. Mr. Chairman, will the gentleman yield?

Mr. SEARS. I have a motion to recommit which I ask to have read in my time.

The CHAIRMAN. Does the gentleman want something read for information in his time?

Mr. SEARS. I move to strike out the last word, and ask to have this read in my time for the information of the House. It is a motion to recommit that I shall offer.

The CHAIRMAN. The Clerk will read it.

The Clerk read as follows:

Mr. SEARS moves to recommit the bill to the Committee on Education with instructions to report the same back instantly with the following amendment:

On page 3, line 7, after the word "act" strike out all of lines 7 and 8 down to the semicolon and insert the following: "And the Federal board shall furnish to the State boards annually general plans and specifications or such information on vocational education as they may have."

And also, in line 8, strike out all down to and including the semicolon after "directors," in line 17.

Mr. SEARS. Mr. Chairman, for myself I have confidence in whatever State board my State may select. If you study the bill carefully, you will find that there will only go to each disabled person about \$3.75 per annum, and I would like all of it to go to them and not to high-salaried persons. I therefore sincerely trust my motion to recommit will be adopted, in order that the above results may be obtained. I call attention seriously to the fact that as the bill is drawn the State will have to report to the Federal board, and the large clerical force which will be necessary to make a careful study of all the States will have to go over these reports. If they decide that the report of the State of Pennsylvania is inadvisable, they will send it back to Pennsylvania, and then the board will go through it again and send it back to the Federal board in Washington.

In my amendment the money goes directly to the State and is spent for the benefit of those cripples and this board furnishes to them such information as they may have.

I can not understand how anyone can vote against this motion to recommit from an economical standpoint, unless he has lost confidence in those who sent him here.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FESS. Mr. Chairman, I move that all debate on this section now close.

The motion was agreed to.

Mr. FESS. Mr. Chairman, I move that the committee do now rise and report the bill back to the House with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. MADDEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill (H. R. 4438) to provide for the promotion of vocational rehabilitation of persons disabled in industry or otherwise and their return to civil employment, and had directed him to report the same back with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

Mr. FESS. Mr. Speaker, under the rule I believe the previous question is ordered.

The SPEAKER. The previous question is ordered under the rule. The question is, Is a separate vote demanded on any amendment?

Mr. BLACK. Mr. Speaker, I demand a separate vote on the first committee amendment.

Mr. BLANTON. Mr. Speaker, I make the point of no quorum, and pending that I move that the House do now adjourn.

The SPEAKER. The gentleman from Texas moves that the House do now adjourn.

The question was taken, and the motion was lost.

The SPEAKER. The gentleman from Texas makes the point of no quorum, and the Chair will count. [After counting.] Two hundred and one Members present, not a quorum.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

Mr. CANNON. A parliamentary inquiry, Mr. Speaker. I believe the previous question is ordered.

The SPEAKER. It is.

Mr. CANNON. I am informed by two or three parties that a demand will be made for the reading of the engrossed bill.

The SPEAKER. That is not a parliamentary inquiry. The gentleman from Wyoming moves a call of the House.

The question was taken; and on a division (demanded by Mr. BLANTON) there were 102 ayes and 91 noes.

Mr. BLANTON. I ask for tellers.

The question of tellers was taken and 14 Members arose.

So the request for tellers was rejected.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will notify absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Ackerman	Fordney	McAndrews	Riordan
Andrews, Md.	Foster	McArthur	Robison, Ky.
Anthony	Frear	McClintic	Rowan
Bacharach	Freeman	McFadden	Rubey
Barkley	Fuller, Ill.	McKinley	Sabath
Begg	Fuller, Mass.	McKinley	Saunders, Va.
Benson	Gallivan	McLane	Schall
Bland, Va.	Gandy	McLaughlin, Mich.	Scott
Booher	Godwin, N. C.	McPherson	Scully
Brand	Goldfogle	Madden	Sells
Brinson	Goodall	Major	Sims
Britten	Goodwin, Ark.	Mansfield	Sinclair
Caldwell	Goodykoontz	Mays	Sinnott
Campbell, Kans.	Gould	Moon	Sisson
Caraway	Graham, Pa.	Moore, Va.	Slemp
Carew	Hamill	Morgan	Small
Casey	Hamilton	Mott	Smith, N. Y.
Clark, Fla.	Hayden	Mudd	Snyder
Collier	Heflin	Neely	Stedman
Copley	Hersey	Nelson, Mo.	Stephens, Miss.
Costello	Hill	Nichols, Mich.	Strong, Pa.
Cullen	Houghton	O'Connell	Sullivan
Davis, Minn.	Howard	Ogden	Swope
Dempsey	Ireland	Oliver	Taylor, Ark.
Dent	Jeffers	Olney	Tilson
Dewalt	Johnson, Miss.	Overstreet	Tincher
Donovan	Johnston, N. Y.	Paige	Upshaw
Dooling	Kahn	Parker	Voigt
Doremus	Kennedy, Iowa	Pell	Ward
Drane	Kennedy, R. I.	Peters	Webb
Dunn	Kincheloe	Porter	Wilson, Pa.
Eagle	Kinkaid	Pou	Wise
Ellsworth	LaGuardia	Rainey, Henry T.	Woods, Va.
Evans, Mont.	Langley	Rainey, Ala.	Woodyard
Fields	Larsen	Reavis	Zihlman
Fitzgerald	Lee, Ga.	Reber	
Flood	Little	Reed, N. Y.	

The SPEAKER. On this vote 284 Members have answered to their names, a quorum.

Mr. MONDELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

By unanimous consent leave was granted to Mr. RAMSEYER, to Mr. SEARS, and to Mr. EVANS of Nevada to extend their remarks in the RECORD on the bill.

The SPEAKER. The gentleman from Texas [Mr. BLACK] demands a separate vote on the first committee amendment. Is a separate vote demanded on any other amendment?

Mr. BLANTON. Mr. Speaker, I demand a separate vote on the Carss amendment, striking out of the paragraph on the first page the words "who are without sufficient means to provide for their own rehabilitation."

The SPEAKER. Is a separate vote demanded on any other amendment? If not, the Chair will put the other amendments en grosse. The question is on agreeing to the other amendments.

The other amendments were agreed to.

The SPEAKER. The Clerk will report the first committee amendment.

The Clerk read as follows:

Page 1, line 4, strike out the words "industry or otherwise" and insert "industrial pursuits, including agriculture, trade, commerce, manufacturing, mining, transportation, and all the mechanic arts."

The SPEAKER. The question is on agreeing to the committee amendment.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 104, noes 26.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

ADJOURNMENT.

Mr. MONDELL. Mr. Speaker, as I have been informed that there has been a demand for the reading of the engrossed bill, and therefore that we can not pass the bill to-night, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 55 minutes p. m.) the House adjourned until to-morrow, Friday, October 17, 1919, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, a letter from the chairman of the Interstate Commerce Commission transmitting report of the Chief of the Bureau of Safety, relative to tests of the railway safety device submitted by the American Automatic Connector Co. (H. Doc. No. 267), was taken from the Speaker's table, referred to the Committee on Interstate and Foreign Commerce, and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Mr. CAMPBELL of Kansas, from the Committee on Rules, to which was referred the resolution (H. Res. 339) from the Committee on Rules for the consideration of the bill H. R. 9783, to provide a national budget system and an independent audit of Government accounts, reported the same without amendment, accompanied by a report (No. 386), which said bill and report were referred to the House Calendar.

Mr. ROGERS, from the Committee on Foreign Affairs, to which was referred the bill (H. R. 9822) to authorize the President of the United States to arrange and participate in an international conference to consider questions relating to international communication, reported the same with an amendment, accompanied by a report (No. 387), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, committees were discharged from the consideration of the following bills, which were referred as follows:

A bill (H. R. 7552) granting an increase of pension to Robert Wilks; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9287) granting an increase of pension to Fletcher Duling; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 9402) granting an increase of pension to Francis O. Nash; Committee on Invalid Pensions discharged, and referred to the Committee on Pensions.

A bill (H. R. 8020) granting an increase of pension to Minard Wood; Committee on Pensions discharged, and referred to the Committee on Invalid Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. DEWALT: A bill (H. R. 9972) authorizing the Secretary of War to donate to the borough of Fullerton, Pa., two German cannon or fieldpieces; to the Committee on Military Affairs.

By Mr. PURNELL: A bill (H. R. 9973) authorizing the Secretary of War to donate to the town of Linden, county of Montgomery, State of Indiana, one German cannon or fieldpiece; to the Committee on Military Affairs.

By Mr. NEWTON of Minnesota: A bill (H. R. 9974) to prevent certain aliens from being admitted into the civil service of the United States or entering its employment; to the Committee on Reform in the Civil Service.

Also, a bill (H. R. 9975) to protect the Government of the United States of America and its national emblem; to prevent the teaching or advocacy of crime, sabotage, or other unlawful methods of terrorism; to deport certain aliens, and for other purposes; to the Committee on Immigration and Naturalization.

By Mr. DALLINGER: A bill (H. R. 9976) to prohibit the export of sugar from the United States or any place subject to its jurisdiction; to the Committee on Interstate and Foreign Commerce.

By Mr. CLARK of Florida: A bill (H. R. 9977) to establish and maintain a permanent force of United States policemen in the District of Columbia for the protection of the public squares and reservations in said District, including the White House grounds; to the Committee on the District of Columbia.

By Mr. BEE: A bill (H. R. 9978) appropriating \$100,000 for the purchase of cotton seed to be distributed in Aransas, Neuces, and San Patricio Counties, in Texas; to the Committee on Agriculture.

By Mr. SHERWOOD: A bill (H. R. 9979) to provide for the retirement of commissioned officers of the late Civil War; to the Committee on Military Affairs.

By Mr. KELLEY of Michigan: A bill (H. R. 9980) to authorize the reenlistment or reinstatement of enlisted men, deserters from the naval service, if pardoned by the President, and for other purposes; to the Committee on Naval Affairs.

Also, a bill (H. R. 9981) to provide for the reorganization of the Corps of Chaplains, and for other purposes; to the Committee on Naval Affairs.

By Mr. SMITH of Michigan: A bill (H. R. 9982) to provide extra compensation to the soldiers, sailors, and marines of the war with Germany; to the Committee on Military Affairs.

By Mr. FORDNEY: A bill (H. R. 9983) to provide revenue and encourage domestic industries by the elimination, through the assessment of special duties, of unfair foreign competition, and for other purposes; to the Committee on Ways and Means.

By Mr. DENT: A bill (H. R. 9984) to provide for the establishment of homes for the disabled soldiers who served in the war with the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, and to provide for the use of the surplus funds of a publication known as the Stars and Stripes, a newspaper published and circulated by the American Expeditionary Forces in France, to that end, and for other purposes; to the Committee on Military Affairs.

Also, a bill (H. R. 9985) for the acquisition, support, and maintenance of a national cemetery in France, and for the removal of the bodies of American soldiers in the recent war with the Imperial German Government and the Imperial and Royal Austro-Hungarian Government, and who were buried upon foreign soil; to the Committee on Military Affairs.

By Mr. STEVENSON: A bill (H. R. 10003) designating the American mountain laurel the national flower of the United States of America; to the Committee on the Library.

By Mr. DALLINGER: Resolution (H. Res. 336) directing the Secretary of War to report to the House of Representatives the amount of sugar in the possession of the War Department; to the Committee on Military Affairs.

Also, resolution (H. Res. 337) directing the Secretary of the Navy to report to the House of Representatives the amount of sugar now in the possession of the Navy Department; to the Committee on Naval Affairs.

By Mr. HULINGS: Resolution (H. Res. 338) to increase the spirit of Americanism among all citizens of the United States; to the Committee on Rules.

By Mr. CAMPBELL of Kansas: Resolution (H. Res. 339) for the immediate consideration of House bill 9783; to the Committee on Rules.

By Mr. SMITH of Michigan: Resolution (H. Res. 340) to provide for the consideration of House bill 7656; to the Committee on Rules.

By Mr. JOHN W. RAINEY: Joint resolution (H. J. Res. 233) repealing the act of November 21, 1918 (Public, No. 243, Sixty-fifth Congress); to the Committee on the Judiciary.

By Mr. DENISON: Concurrent resolution (H. Con. Res. 33) for the appointment of a joint committee of three Members of the Senate and three of the House of Representatives for the purpose of investigating health conditions in certain departments of the Government; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. BEGG: A bill (H. R. 9986) granting an increase of pension to John Greek; to the Committee on Invalid Pensions.

By Mr. FOCHT: A bill (H. R. 9987) granting an increase of pension to William H. Clouser; to the Committee on Invalid Pensions.

By Mr. HILL: A bill (H. R. 9988) granting an increase of pension to Harrison C. Dunham; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9989) granting an increase of pension to Josephine M. Chittenden; to the Committee on Invalid Pensions.

Also, a bill (H. R. 9990) granting an increase of pension to Olney A. Gifford; to the Committee on Invalid Pensions.

By Mr. HAWLEY: A bill (H. R. 9991) granting a pension to Nathaniel N. Robbins; to the Committee on Pensions.

Also, a bill (H. R. 9992) granting a pension to Mary Silvers; to the Committee on Pensions.

By Mr. McCULLOCH: A bill (H. R. 9993) granting a pension to Brice Selby; to the Committee on Pensions.

Also, a bill (H. R. 9994) granting a pension to Albert A. Lyke; to the Committee on Pensions.

Also, a bill (H. R. 9995) granting a pension to Corwin W. Holibaugh; to the Committee on Pensions.

Also, a bill (H. R. 9996) granting an increase of pension to Emil A. Akerman; to the Committee on Invalid Pensions.

By Mr. McKINIRY: A bill (H. R. 9997) for the relief of Philip Sheridan; to the Committee on Claims.

By Mr. MICHENER: A bill (H. R. 9998) to remove the charge of desertion from the record of Melville Van Auker; to the Committee on Military Affairs.

By Mr. MOON: A bill (H. R. 9999) granting an increase of pension to James B. King; to the Committee on Pensions.

By Mr. MOORE of Ohio: A bill (H. R. 10000) granting a pension to Annie Hoover; to the Committee on Invalid Pensions.

Also, a bill (H. R. 10001) granting a pension to Rhoda E. Pryor; to the Committee on Invalid Pensions.

By Mr. WILSON of Louisiana: A bill (H. R. 10002) authorizing the Secretary of the Interior to issue patent to R. L. Credille, mayor of the village of Bonita, La., in trust for certain purposes; to the Committee on the Public Lands.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Petition of the city council of the city of Minneapolis, favoring legislation to fix the profits to be allowed manufacturers, jobbers, and retailers of sugar; to the Committee on the Judiciary.

By Mr. CURRY of California: Petition of Sacramento Parlor, No. 3, Native Sons of the Golden West, in favor of laws prohibiting Japanese "picture brides" and other oriental immigration; to the Committee on Immigration and Naturalization.

By Mr. HILL: Petition of residents of the city of Norwich, N. Y., for national ownership and Government operation of railroads; to the Committee on Interstate and Foreign Commerce.

By Mr. KENNEDY of Iowa: Petition of sundry citizens of Iowa, urging support of the Kenyon bill (S. 2202); to the Committee on Agriculture.

Also, petition of National Association for Advancement of Colored People, of Keokuk, Iowa, urging support of Dyer bill; to the Committee on the Judiciary.

By Mr. KINKAID: Petition of R. E. Moran and 132 other residents of Callaway, Nebr., protesting against the provisions of the Kahn and Wadsworth military-training bills; to the Committee on Military Affairs.

SENATE.

FRIDAY, October 17, 1919.

The Chaplain, Rev. Forrest J. Prettyman, D. D., offered the following prayer:

Almighty God, we commit our way into Thy hands. Thou hast led us thus far. Thy providence has been over us. Thou hast called us to the mighty tasks of our day, and we look to the center and source of wisdom and grace and power and ask Thee by Thy spiritual ministry to fit us for the solemn and the great responsibility which is upon us. Guide us by Thine own unerring counsel. For Christ's sake. Amen.

The Vice President being absent, the President pro tempore took the chair.

The Secretary proceeded to read the Journal of the proceedings of the legislative day of Tuesday, October 14, 1919, when, on request of Mr. Smoot and by unanimous consent, the further reading was dispensed with and the Journal was approved.

Mr. SMOOT. Mr. President, I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	Harding	McKellar	Sheppard
Ball	Harris	McLean	Shields
Bankhead	Harrison	McNary	Simmons
Brandegee	Henderson	Moses	Smith, Ariz.
Calder	Hitchcock	Myers	Smith, Ga.
Capper	Johnson, Calif.	Nelson	Smoot
Chamberlain	Jones, N. Mex.	New	Spencer
Colt	Jones, Wash.	Newberry	Sterling
Culberson	Kendrick	Norris	Sutherland
Cummins	Kenyon	Nugent	Thomas
Dillingham	Keyes	Overman	Townsend
Edge	King	Page	Trammell
Fernald	Kirby	Penrose	Underwood
Fletcher	Knox	Pittman	Wadsworth
Frelinghuysen	La Follette	Polindexter	Walsh, Mont.
Gay	Lenroot	Pomerene	Watson
Gerry	Lodge	Ransdell	Wolcott
Hale	McCormick	Robinson	

Mr. NEWBERRY. I wish to announce that the Senator from Wyoming [Mr. WARREN], the Senator from Kansas [Mr. CUR-

TIS], the Senator from Colorado [Mr. PHIPPS], and the Senator from Maryland [Mr. SMITH] are engaged in a committee hearing.

Mr. GERRY. The Senator from South Dakota [Mr. JOHNSON] and the Senator from South Carolina [Mr. SMITH] are detained from the Senate by illness in their families. The Senator from Oklahoma [Mr. OWEN], the Senator from Kentucky [Mr. STANLEY], the Senator from South Carolina [Mr. DIAL], and the Senator from Massachusetts [Mr. WALSH] are absent on public business. The Senator from Kentucky [Mr. BECKHAM], the Senator from Maryland [Mr. SMITH], the Senator from Mississippi [Mr. WILLIAMS], the Senator from Missouri [Mr. REED], and the Senator from Oklahoma [Mr. GORE] are detained on official business.

The PRESIDENT pro tempore. Seventy-one Senators have answered to their names. There is a quorum present.

ESTIMATES OF APPROPRIATIONS.

The PRESIDENT pro tempore laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Secretary of the Interior submitting a deficiency estimate of appropriation in the sum of \$147 required by the Reclamation Service to cover items disallowed in the accounts of C. G. Duganne, former disbursing officer of that service (S. Doc. No. 136), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

He also laid before the Senate a communication from the Secretary of the Treasury, transmitting a letter from the Postmaster General submitting a supplemental estimate of appropriation in the sum of \$1,500,000 required for additional employees in the Postal Service, fiscal year 1920 (S. Doc. No. 137), which, with the accompanying paper, was referred to the Committee on Appropriations and ordered to be printed.

PROMOTION OF FOREIGN COMMERCE.

The PRESIDENT pro tempore laid before the Senate a communication from the Director of the Bureau of Mines, which was ordered to lie on the table and be printed in the RECORD, as follows:

DEPARTMENT OF THE INTERIOR,
BUREAU OF MINES,
Washington, October 16, 1919.

MY DEAR MR. PRESIDENT: In accordance with the resolution (S. Res. 203) recently passed by the Senate, I herewith advise you of the activities of the Bureau of Mines in the cooperative work with other Government departments in Washington relating to the foreign commerce of the United States. The bureau was not named specifically in the resolution, but inasmuch as reference was made to other agencies in other departments of the Government, I believe it advisable to apprise you of what the bureau has done and is doing in this respect.

The bureau's chief and perhaps most satisfactory contact work with the other departments has come through its representation on the economic liaison committee, which, as you may know, meets every Wednesday morning at the State Department under the able chairmanship of Mr. Wesley Frost, chief of the economic intelligence section of the department.

The work of the committee has resulted in the preparation and distribution among the various departments of valuable and timely reports on pertinent subjects and questions relating to the foreign commerce of the United States and its economic relations with other governments. These reports have covered such subjects as coal, petroleum, potash, cotton, finance, credits, etc., and their preparation has served to acquaint the representatives of the various departments concerned with the information and opinions of the other departments in a more thorough and comprehensive manner than has heretofore been the case.

The committee, as I understand it, has no recognized official status, but was initiated solely on the responsibility of the Secretary of State. In consequence of the lack of official status and because of some difference of opinion among the heads of the various departments represented, no publication of the activities and reports of the committee has been permissible, which in certain cases has, I believe, prevented the dissemination of the reports where such publicity might do an appreciable amount of good.

Part of the time of one man and a clerk have been spent upon this work since its inauguration, with such additional assistance in the way of expert advice and committee consultation as it has been necessary to obtain from the various specialists of the bureau whose special subjects are under consideration. The cost of this work is therefore nominal.

In addition to the bureau's participation in the work of the economic liaison committee, it has obtained such information as was possible from various sources and expressed such opinions, chiefly in the nature of written reports on special subjects, as circumstances and the limited personnel available for the work allowed. This work naturally covers the whole field of minerals and metals, particularly with regard to their beneficiation, both in mining and metallurgy. The bureau has been particularly concerned recently with the international situation in petroleum and coal.

I believe it would be of distinct value to the bureau, other Government departments, and the country at large, if the entire time of an able representative of the bureau and such clerical assistance as he might require could be engaged in this contact work, so that the bureau might have not only the assistance of other departments and render such assistance to them as it could in foreign trade matters, but also in order that the work of the various bureau specialists in matters having to do with foreign commerce could be correlated and disseminated from one source.

If it is in order, in accordance with the resolution, I believe it advisable to consider giving official status to the economic liaison committee or some such cooperative body representing the various Government de-